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Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba

Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba

Report of the Secretary-General**

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** The present report contains replies of Member States and United Nations organs. In spite of a clear deadline set in the note verbale for submission of contributions, the Americas and Europe Division, Department of Political Affairs, has no control over late submissions.

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I. Introduction

1. In its resolution 56/9 of 27 November 2001, entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba", the General Assembly requested the Secretary-General, in consultation with the appropriate organs and agencies of the United Nations system, to prepare a report on the implementation of the resolution in the light of the purposes and principles of the Charter of the United Nations and international law, and to submit it to the Assembly in its fifty-seventh session.

2. Pursuant to that request, by a note dated 12 April 2002, the Secretary-General invited Governments and organs and agencies of the United Nations system to provide him with any information they might wish to contribute to the preparation of his report.

3. The present report reproduces the replies from Governments and from organs and agencies of the United Nations that have been received as of 16 July 2002. Further replies will be reproduced as addenda to the present report.

II. Replies received from Governments

Algeria

[Original: French]
[22 April 2002]

Algeria fully supported and voted in favour of resolution 56/9 adopted by the General Assembly on 27 November 2001 on the necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba. Algeria fully endorses paragraphs 2 and 3 of the resolution. Accordingly, the Algerian Government has neither promulgated nor applied any laws and/or regulations whose extraterritorial effects undermine the sovereignty of other States.

Angola

[Original: English]
[17 May 2002]

1. Angola voted in favour of resolution 56/9 and has strictly applied its provisions. The Government of Angola has never promulgated any law or measure that might limit free commerce with the Republic of Cuba.

2. The Government of Angola is concerned at the damaging effects of the embargo on the Cuban population, principally the most vulnerable strata, the elderly and children, and will continue to support its lifting.

3. The Government of Angola reaffirms its strong support for the principles of freedom of international trade and navigation and has systematically appealed for the elimination of the unilateral application of measures of an economic and commercial character that affect the free development of international trade and navigation.

Argentina

[Original: Spanish]
[1 May 2002]

1. On 5 September 1997, the Government of the Argentine Republic promulgated Act No. 24,871, under which foreign legislation which is aimed, directly or indirectly, at restricting or impeding the free flow of trade and the movement of capital, goods or persons to the detriment of a given country or group of countries shall neither be applicable nor have legal effects of any kind within the national territory.

2. Article 1 of the Act provides that foreign legislation which seeks to have extraterritorial legal effects, through the imposition of an economic embargo or limits on investment in a given country, in order to elicit a change in the form of government of a country or to affect its right to self-determination shall also be wholly inapplicable and devoid of legal effects.

3. Argentina's vote in favour of the adoption of General Assembly resolution 56/9, as in the case of previous resolutions, is consistent with its position on eliminating measures of that kind.

4. In addition, Argentina would like to refer to the explanation of vote given on behalf of the States

members and associate members of the Southern Common Market (MERCOSUR) when the draft resolution was adopted. Among other things and recalling the various communiqués issued by the Rio Group, the General Assembly of the Organization of American States (OAS), the Ibero-American Summit and the Latin American Economic System (SELA), it was stated on behalf of MERCOSUR that the extraterritorial application of the domestic law of a State violates the principle of non-intervention in the internal affairs of other States. It was also maintained that the application of unilateral coercive measures does not contribute to the promotion of a democratic system and to respect for and the safeguarding of human rights. By virtue of these and other considerations, MERCOSUR aligned itself with the nearly unanimous position of the international community.

Armenia

[Original: English]
[17 June 2002]

The Armenian legal regime contains no laws or measures of the kind referred to in General Assembly resolution 56/9, entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba".

Bahamas

[Original: English]
[2 July 2002]

1. The Commonwealth of The Bahamas enjoys normal diplomatic and trade relations with the Republic of Cuba.

2. The Bahamas has not promulgated or applied laws or measures against Cuba that would prohibit economic, commercial or financial relations between The Bahamas and the Republic of Cuba.

Barbados

[Original: English]
[19 June 2002]

The Government of Barbados has no laws which in any way restrict the freedom of trade and navigation in Cuba. Barbados has consistently voted in favour of the resolution entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba" since the resolution was first introduced in the General Assembly during the forty-sixth session in 1991.

Belarus

[Original: English]
[26 June 2002]

1. In the course of the fifty-sixth session of the General Assembly, the Republic of Belarus, together with the overwhelming majority of other Member States, voted in favour of resolution 56/9, entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba". The Republic of Belarus thereby reaffirmed its commitment to respect for fundamental principles of sovereign equality of States, non-interference in their internal affairs and freedom of international trade and navigation.

2. The Republic of Belarus has consistently supported the invalidation of laws and measures unilaterally promulgated and applied by Member States, the extraterritorial effects of which affect the sovereignty of other States, the legitimate interests of entities or persons under their jurisdiction and the freedom of trade and navigation.

3. Pursuant to the fundamental principles of international law, including the provisions of the Charter of the United Nations, the Republic of Belarus has never applied, does not apply and has no intention of ever applying any of the laws or measures referred to above.

4. The Republic of Belarus believes that international disputes must only be resolved through negotiations on the basis of respect for the principles of equality and mutual benefit.

Belize

[Original: English]
[26 June 2002]

1. The Permanent Mission of Belize to the United Nations is pleased to report that, in accordance with resolution 56/9, as well as all previous General Assembly resolutions on the embargo against Cuba, Belize has not promulgated or applied any law,

regulation or measure, the extraterritorial application of which would affect the sovereignty of other States, the legitimate interests of entities or persons under their jurisdiction and the freedom of trade and navigation.

2. The Permanent Mission of Belize reaffirms its commitments to the purposes and principles enshrined in the Charter of the United Nations, particularly the sovereign equality of States, non-intervention and non-interference in their internal affairs and freedom of international trade and navigation, which also form fundamental principles of international law.

Benin

[Original: French]
[11 July 2002]

Since Cuba and Benin have always enjoyed good relations, Benin has not taken any measure to impose an economic embargo against Cuba. Benin also hopes that a definitive end will be put to the present situation and that all possible efforts will be made to relax tensions and restore relations between the United States and Cuba.

Bolivia

[Original: Spanish]
[12 June 2002]

The Government of the Republic of Bolivia has not adopted any laws or measures of the kind referred to in the aforementioned resolution. Consequently, there are no provisions, measures or laws which the Government of Bolivia would have to repeal or invalidate in this regard.

Botswana

[Original: English]
[25 June 2002]

The Republic of Botswana has never promulgated, applied and enforced any laws or measures of the kind referred to in the above-cited resolution. Botswana is therefore opposed to the continued adoption and application of such extraterritorial measures and, as reflected by its vote on resolution 56/9, supports the lifting of the embargo imposed against Cuba.

Brazil

[Original: English]
[26 June 2002]

1. Brazil reiterates its position that discriminatory trade practices and the extraterritorial application of domestic laws run counter to the need for promoting dialogue and ensuring the prevalence of the principles and purposes of the Charter of the United Nations.

2. In accordance with General Assembly resolutions 47/19, 48/16, 49/9, 50/10, 51/17, 52/10, 53/4, 54/21, 55/20 and 56/9, Brazil has not promulgated or applied any law, regulation or measure the extraterritorial effects of which could affect the sovereignty of other States and the legitimate interests of entities or persons under their jurisdiction, as well as the freedom of trade and navigation.

3. Brazil's legal system does not recognize the validity of the application of measures with extraterritorial effects. Companies located in Brazil are subject exclusively to Brazilian legislation.

4. Measures by any country which violate the provisions of resolution 56/9 and which attempt to compel the citizens of a third country to obey foreign legislation affect the interests of the international community as a whole and violate generally accepted principles of international law. They should be reviewed and changed, where appropriate, in order to bring them into conformity with international law.

5. Governments not complying with resolution 56/9 should urgently take further steps to eliminate discriminatory trade practices and bring to an end unilaterally declared economic, commercial and financial embargoes.

Burundi

[Original: French]
[27 June 2002]

1. The Government of the Republic of Burundi has always subscribed to the sacred principle of sovereign equality and non-interference in the internal affairs of other States. It has always considered Cuba to be a State Member of the United Nations in all respects, with the same rights and obligations vis-à-vis the Organization and the other Member States.

2. The Government of the Republic of Burundi considers that discriminatory trade practices and the

extraterritorial application of domestic laws are contrary to the purposes and principles of the Charter of the United Nations. Like many other Governments, the Government of the Republic of Burundi expresses its deep regret at the maintenance of the economic, commercial and financial embargo against Cuba, which constitutes a violation of the rights of the Cuban people and of the country's right to be an equal partner of the rest of the world. Moreover, the adverse effects of the economic embargo on the Cuban people and more particularly, on the most vulnerable segments of the population, including older persons, women, children and the sick, as described by a number of reports of United Nations organs and institutions, must also be borne in mind.

3. Accordingly, the Government of Burundi has never promulgated or applied laws or measures of the kind referred to in the preamble to General Assembly resolution 56/9.

Cambodia

[Original: English]
[1 July 2002]

The Royal Government of Cambodia believes that the unfair embargo imposed on the Cuban people is against the principles of the international law on freedom of trade and navigation. Therefore, the Royal Government of Cambodia appeals to all States Members of the United Nations to take the necessary measures to fully implement General Assembly resolution 56/9, entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba", adopted by the Assembly on 27 November 2001.

Cape Verde

[Original: English]
[27 June 2002]

The Government of the Republic of Cape Verde has not taken any measure in contravention of General Assembly resolution 56/9, entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba".

Chile

[Original: Spanish]
[28 May 2002]

1. The Government of Chile considers that the application by Member States of laws and regulations whose extraterritorial effects affect the sovereignty of other States, the legitimate interest of entities or persons under their jurisdiction and the freedom of trade and navigation undermines the universally accepted principles of international law.

2. Actions that affect the legitimate economic and commercial interests of third countries violate the basic rules governing free trade among sovereign nations. Chile wholly opposes such actions.

3. Chile has therefore refrained from applying or promoting the application of laws or administrative norms of the kind referred to in the preamble to General Assembly resolution 56/9.

China

[Original: English]
[8 May 2002]

1. Sovereign equality, non-interference in the internal affairs of other countries and other relevant norms governing international relations should be duly respected. Every country has the right to choose, according to its national circumstances, its own social system and mode of development, which brooks no interference by any other country.

2. The differences and problems existing among countries should be resolved through peaceful dialogue and negotiation on the basis of equality and mutual respect for sovereignty. The economic, commercial and financial embargo imposed by the United States of America on Cuba, which has lasted for too long, serves no other purpose than to keep high tensions between two neighbouring countries and inflict tremendous hardship and suffering on the people of Cuba, especially women and children. The embargo, which remains unlifted, has seriously jeopardized the legitimate rights and interests of Cuba and other States as well as the freedom of trade and navigation and should, in accordance with the purposes and principles of the Charter of the United Nations and relevant resolutions of the United Nations, be put to an end.

Colombia

[Original: Spanish]
[5 July 2002]

1. The Government of Colombia, maintaining its traditional position of respect for self-determination of peoples and non-interference in the internal affairs of any State, principles embodied both in the Charter of the United Nations and in the Charter of the Organization of American States, has neither promulgated nor applied unilaterally any laws or measures against Cuba or any other State which could affect the free development of that State's economy or trade.

2. Traditionally, Colombia has participated actively in concerted international efforts to ensure respect for international law. For the past nine years it has been one of the sponsors of the resolution presented by Cuba in the General Assembly and it did so in 2001 for General Assembly resolution 56/9.

3. In the multilateral groups and forums in which it participates, Colombia has rejected the unilateral and extraterritorial application of national legislation, believing that such measures violate the juridical equality of States and have an adverse effect on international relations, trade, investment and cooperation. At the Ministerial Meeting of the Movement of Non-Aligned Countries held in Durban, South Africa, on 29 April 2002, the Ministers again called upon the Government of the United States to put an end to the economic, commercial and financial embargo against Cuba, which, in addition to being unilateral and contrary to the Charter of the United Nations, international law and the principle of good neighbourliness, is causing tremendous material losses and economic damage to the people of Cuba. In their Final Document, the Ministers again urged strict compliance with General Assembly resolutions 47/19, 48/16, 49/9, 50/10, 51/17, 52/10, 53/4, 54/21, 55/20 and 56/9 and expressed their deep concern at the expansion of the extraterritorial effect of the embargo against Cuba and the successive legislative measures designed to intensify it.

4. Colombia has taken the same position in regional organizations. During the thirty-second regular session of the General Assembly of the Organization of American States, on 4 June 2002, the member countries, in resolution 1884 (XXXII-0/02) entitled "Free Trade and Investment in the Hemisphere", stated that they recognized the opinion of the Inter-American Juridical Committee (CJI/RES.II-14/96) and took into account resolutions AG/RES. 1447 (XXVII-0/97), AG/RES. 1532 (XXVIII-0/98), AG/RES. 1614 (XXIX-0/99), AG/RES. 1700 (XXX-0/00) and AG/RES. 1826 (XXXI-0/01). They also resolved to take note of the report of the Permanent Council on Free Trade and Investment in the Hemisphere, presented pursuant to resolution AG/RES. 1826 (XXXI-0/01), and to request the Permanent Council to report to the General Assembly at its thirty-third regular session on developments in that regard.

5. Other international forums, such as the Rio Group, the Ibero-American Summit, the Latin American Integration Association and the South Summit, have called repeatedly for an end to this situation, which constitutes a violation of the principles governing international coexistence, undermines multilateralism and is contrary to the spirit of cooperation and friendship among peoples.

Congo

[Original: French]
[3 July 2002]

1. The Republic of the Congo has always voted in favour of the resolution entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba". This unwavering position is based on the Congo's rejection of unilateral measures against other States.

2. The Republic of the Congo will therefore continue to vote in favour of the necessity of ending the embargo against Cuba by acting in compliance with international law, as such measures can only be decided by the competent organs of the United Nations.

Cuba

[Original: Spanish]
[15 July 2002]

1. The Cuban people continues to be the victim of the genocidal embargo imposed on it by the United States of America in its eagerness to flaunt its commitment to the exercise of self-determination and its desire for independence, social justice and equity.

For more than 42 years successive United States Administrations have unhesitatingly sought to spread hunger and sickness among the Cuban people in an effort to subjugate its spirit of resistance to aggression and annexation.

2. The embargo policy has caused and continues to cause serious and massive damage to the material, physical and spiritual well-being of the Cuban people, and it has not only limited that people's economic and social development but has also forced successive generations of Cubans to live in a climate of constant hostility and tension. Six out of every 10 Cubans have been born and have lived under conditions imposed by this policy.

3. The economic war being waged by the United States against Cuba is devoid of any legal basis and, under article I', subparagraph (c), of the 1948 Convention on the Prevention and Punishment of the Crime of Genocide, is qualified as an act of genocide and thus constitutes a crime under international law.

4. The economic, commercial and financial embargo imposed against Cuba by the most powerful country in the history of mankind is not only being maintained but has also been tightened by a decision of the Government of President George W. Bush. President Bush has made anti-Cuban rhetoric and his firm commitment to Miami-based extremist groups the basis of his action against Cuba as he seeks to obtain benefits at the polls for himself and for his family.

5. In a statement issued at the White House on 20 May 2002, during the commemoration of the centenary of the imposition on Cuba of a regime characterized by United States neocolonial domination, President Bush openly stated that "the United States will continue to enforce sanctions on Cuba". If anyone had had any doubts as to the ongoing nature and tightening of the embargo against the Cuban people in United States policy, the most obvious answer could be found in these words from President Bush, which he repeated that very day in Miami.

6. It is in the light of these circumstances that the General Assembly should take this agenda item up again at its fifty-seventh session, 10 years after the Assembly first adopted a resolution calling on the United States Government to end its economic, commercial and financial embargo against the Cuban people. It is therefore fitting to ask the following questions:

- How has it been possible over so many years to create such a small-minded and infernal system to deny an entire people access to essential foodstuffs and medicines produced in the world's largest market, especially when one considers that some of these items are unique and cannot be obtained at any price from any other supplier?
- How is it acceptable that a people should continue to be denied access to the technology, spare parts, medical equipment and scientific literature that are indispensable to the full enjoyment of the human right to health?
- How can such practices be justified, not only in the light of universal human rights norms and international humanitarian law, but also in the light of the principles of economic and trade liberalization, which are advocated by the industrialized countries, including the United States of America, in the context of the globalization currently taking place?

7. This report will endeavour to answer these questions, and the General Assembly may draw its own conclusions from the information contained therein.

Origins, consolidation and tightening of the United States embargo against Cuba

8. The past 200 years have brought difficult challenges to the Cuban nation, starting in particular with the historical threat posed by the attempts of powerful ultra conservative groups in the United States to annex and exercise domination over Cuba. A cursory glance at history offers sufficient evidence of the true intentions guiding United States policy towards Cuba. The United States has spared no effort in its hegemonic plans, especially since the triumph of the Cuban revolution in 1959.

9. Applying economic sanctions as a matter of policy has been a fundamental element of United States hostility towards Cuba. The decision to foster hunger, sickness and despair among the Cuban people as tools for achieving its goals of political domination not only has been maintained but has been strengthened over the past 40 years.

10. Cuba has been the victim of a brutal policy of hostility and aggression of all types at the hands of the super-Power, whose strategic intent is nothing less than the liquidation of the Cuban revolution and the

destruction of the country's political, economic and social system, which have been established and are constantly being sustained and improved by the free will of the Cuban people.

11. Since 1959 successive United States Administrations have sought to achieve their goal by resorting to every type of political pressure: attempts at diplomatic isolation; propaganda campaigns; encouraging desertion and illegal emigration; espionage; economic warfare and attacks of all kinds, including subversion, acts of terrorism and sabotage, biological warfare, providing support for armed groups and criminal infiltration and incursions into Cuban territory, military hostage-taking, threats of nuclear annihilation and even direct attacks using mercenaries.

12. Not a single economic or social activity in Cuba has been exempt from the destructive and destabilizing action that has resulted from the aggressive policy of the United States. Conservative estimates place the cost of the effects on Cuba of this genocidal policy at more than 70 billion dollars. These figures do not include the more than $54 billion reported as direct damage done to Cuban economic and social targets over the past four decades by acts of sabotage and terrorism perpetrated by agents in the service of the United States who have been supported by that country and financed from its territory.

13. As previous reports have noted, the difficulties facing the Cuban economy grew worse in 1992 when the country's ties to its former social and commercial partners, the now defunct Soviet Union and the countries of Eastern Europe, dissolved. It was then that the so-called Torricelli Act was passed for the purpose of excluding Cuba completely from the international economic environment and ruining its economy. The provisions of this Act, which were intensely extraterritorial in nature, constitute a flagrant violation of the international norms governing freedom of trade and navigation, and reflect contempt and a lack of respect for the sovereignty of third States.

14. In 1996, unhappy at having failed to topple the country's political and economic system with the Torricelli Act, the United States Government took a step further in its increasingly hostile actions and attacks on the Cuban people. In that year it promulgated the Helms-Burton Act, which combined the principal programmes and policies being directed against the Cuban people and its emancipating project by the far right in the United States and the terrorist Cuban-American mafia.

15. The Helms-Burton Act, which embodied the idea of interference in the affairs of other States in both the spirit and the letter, sought in its first two sections, to dictate the political, economic and social order that ought to exist in a neighbouring State, Cuba, while advocating subversion as a means to its ends. Titles III and IV sought to internationalize the embargo by imposing norms and rules on the international community to govern the way in which economic relations with Cuba were supposed to be maintained and establishing sanctions to be imposed on citizens of other countries if they maintained relations with Cuba.

16. These Acts and regulations affecting Cuba and applicable also to the entire international community have been supplemented with subsequent provisions and measures aimed at tightening the embargo. The most recent actions include the development of new control and monitoring mechanisms with a view to enhancing their effectiveness.

17. With the Bush Administration's assumption of office there has been a stepping up of anti-Cuban rhetoric and greater involvement with the Cuban American National Foundation and other extremist organizations in Florida whose terrorist and annexationist activities are well known; this has led to hardening of the policy of the embargo against the Cuban people.

18. The current United States Administration has decided to implement the regulations relating to the embargo, particularly the Helms-Burton Act, more stringently at any cost in both economic and political terms. The economic sanctions and restrictions have been accompanied by new initiatives aimed at promoting, organizing and financing internal subversion on the island, using the United States Interests Section in Havana, resources of the United States Agency for International Development (USAID) and other official funds, as well as the resources that the Administration provides to organizations such as Freedom House which promote subversion and interference in the territory of the Republic of Cuba. This year the Bush Administration has even made a public announcement of the granting of federal funds to finance internal subversive projects in Cuba, offering millions of dollars for each project proposed.

19. One of the main aspects of the anti-Cuban activities of the Administration of President George W. Bush has been the restriction of freedom of travel by means of sanctions and threats against United States citizens wishing to travel to Cuba. Such actions have become more frequent over the past 18 months, when the United States Government has prosecuted and fined a growing number of its citizens. Suffice it to say that, whereas between 3 January and 3 May 2001, a period of four months, the Department of the Treasury sent 74 letters to United States citizens who were so bold as to travel to Cuba without authorization, imposing fines on them averaging $7,500, in the 3 months from 4 May to 31 July of the same year, 443 such letters were sent.

20. One example, is the case of Mr. Cevin Allen, a United States citizen who was one of the victims of the sanctions imposed by the United States Government for travelling to Cuba. Last year, he appeared before the Senate Committee on Appropriations to make his case known. On account of the unusual and inhumane circumstances of his case, some details about him are given below.

21. A resident of Sammamish, Washington, Mr. Allen lived in Cuba between 1948 and 1955 with his parents who were missionaries of the Pentecostal Church. They maintained close links with Cuba after leaving for the United States. In 1987, both his parents died in a disastrous fire. At that time, Mr. Allen promised that he would carry their ashes to Cuba, a place they had always loved, which he was able to do 10 years later. On his return, he and his companion were each fined $7,500, which was reduced to $700 following a hard-fought legal battle.

22. President George W. Bush, in stepping up his anti-Cuban actions, has appointed and promoted officials of Cuban origin, including some with terrorist backgrounds, to key posts in his cabinet or in the Department of State. These officials are active in, or closely associated with, the so-called Cuban American National Foundation and other far-right organizations in Florida whose terrorist nature has been denounced and proved.

23. In recent years, the Government of the United States has attempted to mislead international public opinion by means of a supposed relaxation of the regulations governing the embargo which would allegedly allow the sale to Cuba of food and medicines. However, as we have indicated in earlier reports to the Secretary-General, the restrictions imposed on the completion of the formalities to enable Cuba to make these purchases, and the conditions attached, have prevented and continue to prevent their completion, despite Cuba's desire to make such purchases and the interest of United States producers in making the sales.

24. At the end of last year, in the aftermath of the most destructive hurricane ever to have struck Cuba, in a gesture that was at the time described as friendly by the Cuban authorities, the United States Administration did not raise objections to the sale to the country of a certain quantity of food that was acquired to replenish the reserves that had been used in providing assistance to the victims of Hurricane Michelle.

25. That isolated event aroused a false expectation in several quarters, including United States business circles, that a start had been made towards a less hostile policy on the part of the United States towards Cuba. However, the truth is that the purchases had to be made on the basis of restrictive licences from the Department of the Treasury, in cash and without any financing, even from private sources, while at the same time the material could only be carried in United States or third country ships, to the exclusion of Cuban ships; in other words, the conditions maintained the numerous restrictions imposed by the embargo. In addition, last April, the Government of the United States unilaterally cancelled the visas of the Cuban businessmen who were negotiating further purchases with the United States companies that had made sales to Cuba in recent months, and with other parties.

26. It is also worth recalling the complex procedures that have governed and continue to govern such sales. On the one hand, the products exported to Cuba by United States companies have to meet the requirements established for exports, there must be a written contract and shipments must be made within one year from the signing of the contract. Similarly, United States exporters have to provide prior notification by submitting a paper application form, or its electronic equivalent, giving the information required by the Department of Commerce, in particular the Bureau of Export Administration. The Bureau refers the notification to the other United States Government agencies, such as the Department of Defense, the Department of State and presumably the National Security Council and other entities in certain cases, which ultimately decide, by a political fiat, whether the sales can take place. This procedure is entirely

incompatible with the standards that should govern trade between countries.

27. Trade between sovereign States is not realistically conceivable in the absence of a normal system of relations between businesses, permitting negotiation, a normal flow of finance, air and sea transport, the benefit of the usual means of support for foreign trade and the essential access to credit.

28. In addition, however, in order to rule out any possibility of doubt, officials at the Department of State and the President of the United States himself immediately took it upon themselves to explain that, apart from those sales, the embargo would continue in existence without any change and that, on the contrary, there would be a review of United States policy towards Cuba with the declared objective of strengthening the means of economic coercion and the sanctions in force.

29. In violation of the most elementary principles of free trade, the Trade Sanctions Reform and Export Enhancement Act, adopted in October 2000, even though under certain conditions it allows the sale of food and medicines to our country, also adds important restrictions to those provided for by earlier legislation. The Act requires the Department of Commerce to control the export of agricultural products and health sector products through the issue of licences which are under the control of the Department of the Treasury, in particular its Office of Foreign Assets Control. Products that are authorized for export to Cuba must meet certain requirements as to control and classification in accordance with "national security" provisions.

30. In the course of this procedure and in compliance with section 906 of the Act, the export of agricultural products to any Cuban entity may be refused on grounds of alleged national security concerns. With respect to the currency of payment, the regulations do not specify that Cuban entities are authorized to make purchases using United States dollars. Transactions are conducted through banks located in third countries and in other currencies, principally euros, resulting in exchange rate losses for Cuba.

31. With regard to health sector products, the provisions of the Torricelli Act are still being applied. Exporters need a specific licence, granted on a case-by-case basis, valid for 24 months. The grant of the licences depends on whether the Government of the United States is able to monitor and verify the end-user of the product through on-the-spot inspections and other means.

32. Moreover, in the course of this year alone, 25 pieces of legislation against Cuba have been introduced in the United States Congress which, if they were to be adopted, would tighten still further the embargo against Cuba, assuming that to be possible.

33. However, in parallel with this irrational behaviour, there are several legislative initiatives favourable to lifting the unilateral economic sanctions. These are the result, among other things, of increased efforts by representatives of the agricultural sector to find new markets for their products. Social and economic sectors in the United States are increasingly calling for the lifting of the embargo, which affects not only Cuba's population but also the interests of the business sectors and population of the United States.

34. On 21 March 2002, the creation of the Cuba Working Group in the House of Representatives, the first of its kind in the United States Congress in over 40 years, was officially announced. The Group has been lobbying for the elimination of restrictions on the private financing of agricultural sales to our country, for freedom of travel and for the repeal of section 211 of the Omnibus Appropriations Act of 1999 that has permitted the theft of Cuban trademarks, in open violation of intellectual property legislation.

35. Every day, more voices are being heard calling for the abandonment of the policy of embargo against Cuba. The press, the churches, the business sector and ordinary citizens are asking why a country that is a neighbour and is no threat to the United States is being treated as an enemy of the country. The continued implementation of this aggressive policy of embargo by the United States Government simply demonstrates its arrogance and disrespect for the values shared by the community of nations and constitutes a clear challenge to, and veritable contempt for, the purposes and principles enshrined in the Charter of the United Nations and in international law.

The extraterritoriality of the embargo policy

36. Since it came into effect in 1960, the economic, commercial and financial embargo imposed by the United States of America on the Republic of Cuba has been extraterritorial in nature, violating the principles of international law in force and, in particular,

trampling on the sovereign right of nations to carry out their economic, commercial and financial relations free of interference. The United States took upon itself the right to legislate on behalf of, and for, other countries in their relations with Cuba, granting itself the power to certify the conduct and actions of other States.

37. Underlying this extraterritorial policy pursued by the strongest Power in the world is its selective and discriminatory interpretation of the concept of State sovereignty, a principle universally defined and accepted since the Treaty of Westphalia in 1648 as the power of a State to decide on its domestic and foreign affairs, which simultaneously implies respect for the sovereignty of other States.

38. The selective approach and double standard that characterize the positions of the United States with regard to the sovereignty of other States are unscrupulously demonstrated in the implementation of its unilateral policy of embargo against Cuba.

39. The worst aspect of this is that the extraterritorial implementation of the policy of embargo against Cuba is not an isolated event but seems to be a common feature of the strategy of hegemonistic domination of United States imperialism.

40. Early in the 1990s, attempts were made to cobble together a conceptual framework that would serve to support the extraterritorial enforcement of the embargo. The passing of the so-called Cuban Democracy Act of 1992, known as the Torricelli Act, marked the first qualitatively important step in that direction, followed in 1996 by the Helms-Burton Act, which stepped up extraterritoriality in its enforcement provisions.

41. The Torricelli Act provides for prohibitions and sanctions applicable to foreign subsidiaries or firms affiliated to United States companies, even when they are based and managed in third States and thus operate under the laws and jurisdiction of such States.

42. It was known that Cuba was purchasing vital goods such as medicines and foodstuffs from subsidiaries, thus alleviating to some extent the impact of the embargo.

43. At the time, 107 head offices of United States companies were interested in maintaining trade relations with Cuba and had access to the Cuban market. In 1991, the volume of trade totalled $718 million, 90.6 per cent of which comprised food and medicines. The Torricelli Act addressed the task of depriving the Cuban people of access to such products.

44. The Act, inter alia, imposed prohibitions on vessels entering United States ports and blacklisted those carrying goods to Cuba or on Cuba's behalf, thereby violating the most elementary norms of freedom of trade and navigation enshrined in international law and in United Nations international agreements.

45. The Helms-Burton Act, which was adopted in 1996, institutionalized and codified many provisions that already existed in the form of laws, decrees, presidential orders, and other regulations that had been drafted over the decades.

46. The Act, which grants the Government of the United States the "right" to decide the political future of the Cuban people and sets requirements for the legitimacy of "a transition government" and for determining a "democratically elected government", reserves to the President of the United States powers that are the exclusive responsibility of the Cuban people. To put it simply, the United States arrogates to itself the power to rule, officially and publicly, on matters that are supposed to be the exclusive attribute of Cuban sovereignty. In fact, this Act has sought to turn the clock back to the time when the United States forced Cuba, by means of the Platt Amendment, to recognize its right to intervene in our country as a condition for granting the Cuban people independence under United States protection in 1902.

47. It also establishes sanctions, such as the withdrawal of visas to enter the United States, for businessmen from third countries who do business with Cuba and their relatives. It also establishes the right of persons who were Cuban citizens on 1 January 1959 and who emigrated to the United States and then acquired United States citizenship to file claims in United States courts against businessmen from third countries doing business in Cuba in a property that used to belong to the former and that was nationalized; such businessmen are considered under the Act to be "trafficking" in such property.

48. The extraterritorial effects of the embargo are felt in all spheres of international cooperation, including in the United Nations itself and its specialized agencies. There are sufficient examples of this, including the following ones.

49. The Dr. Miguel Enriquez Faculty of Medical Sciences, located in Havana, is carrying out an investment project with financing from Georg August University in Göttingen, Germany, for the establishment of the Laboratorio Central de Líquido Cefalorraquídeo (LABCELL), in order to conduct tests on that biological liquid with cutting edge technology, this would benefit the Cuban population. The functions of this laboratory will include assistance, research and teaching at the undergraduate and postgraduate levels for Cuban nationals and foreigners.

50. In February 2001, Beckmann-Coulter of the United States barred its European-based subsidiary from sending a latest generation IMMAGE laser nephelometer to the LABCELL project in Cuba, citing the Helms-Burton Act. The parent company even threatened to deny its European subsidiary export right if the equipment was sent to Cuba. Accordingly, Cuba has been deprived of that equipment, which is the basis for the project; as a result, the opening of that laboratory has been delayed by more than a year.

51. In the 2001 report, Cuba stated that, in the context of the International Telecommunication Union, it was denied the right to participate in the ITU global project WISEWORLD 2000 which offered developing countries the opportunity to receive a computer programme for the issuance of digital certificates and cryptography techniques for commercial use.

52. This year the Permanent Representative of the United States to the International Atomic Energy Agency (IAEA) handed the Director General of IAEA, Mr. Mohammed El Baradei, a letter dated 10 May 2002 in which his Government requested that funds provided by the United States for IAEA assistance activities not be used for projects with Cuba, citing section 307 of the United States Foreign Assistance Act. This action is in violation of the IAEA Statute.

53. Cuba will continue to denounce the extraterritorial nature of United States policy and demand strict compliance with international law, particularly the right of peoples to self-determination and the right to State sovereignty.

Impact on health, food and education

54. Since the embargo against Cuba was instituted in the early 1960s, the health and education systems and the achievement of the right to food of the Cuban people have been the priority targets of United States aggression. Actions designed to create conditions conducive to hunger and disease and thereby undermine popular support for the Cuban revolution have figured constantly in the specific plans and programmes of the dirty war against Cuba.

Health

55. The embargo and the hostile policy of successive United States Governments have greatly damaged the Cuban national health system and have interfered with its ability to obtain technology, medicines, raw materials, reagents, diagnostic instruments, equipment and spare parts and medicine for the treatment of serious, traumatizing and painful illnesses, including cancer. In many cases, the consequences of these shortages have been tragic, not only in terms of the human suffering of patients and their families but also because medical personnel have been unable to save people's lives or treat their illnesses.

56. Cuba has repeatedly denounced the harm done to the Cuban health system by the United States embargo and will go on doing so as long as that genocidal policy continues. In this report, mention will be made of several cases which illustrate the above consequences. One of them, in particular, demonstrates the truth of the above claim.

57. A federal prosecutor, acting on instructions from the Department of Justice of the United States, charged a Canadian citizen, James Sabzali, and two United States citizens, Donald E. Brodie and Stefan E. Brodie, all of them Purolite executives, with violating the embargo against Cuba. Following a five-year investigation into his business dealings with our country, Mr. Sabzali could face up to 205 years in prison.

58. Did Mr. Sabzali sell Cuba anything that might be a United States strategic secret? Nothing could be further from the truth. Strange though it may seem, the crime with which these executives are charged is selling Cuba materials used to purify the drinking water provided to the Cuban population for their direct consumption.

59. The following is another example worth mentioning, given its adverse impact on the health of the Cuban people. The United States firm Rashkind produces a catheter known as a balloon catheter for use in septostomy, a complicated paediatric procedure. Since Cuba is unable to buy such devices in the United

States, it has to import them from Canada, causing the price to rise from $110 per unit to $185, not including transport costs.

60. There are many medicines directly related to patient survival, such as antibiotics, antimycotics and immunological regulators, produced by United States firms which are not available in our treatment facilities because they cannot officially be imported from the United States or bought from third countries.

61. Cuba cannot obtain advanced technologies that are controlled by the United States, such as continuous ambulatory peritoneal dialysis for the treatment of chronic renal disability, modern immune suppressants such as FK506 and mycophenolate mofetil and dialyzers with synthetic membranes.

62. Some companies, including Baxter, Healthcare, Drake Willcock and Vitalmex Interamericana S.A., supply their products to neighbouring markets that are technologically highly developed. However, they are forbidden to sell Cuba equipment, consumer goods and accessories. If rebuilt dialysis machines and other equipment for use in tertiary care could be obtained in the United States, Cuba would save between 66 per cent and 75 per cent of the cost of a new machine.

63. The United States company One Lambda produces what Cuban doctors consider to be the most useful kit for HLA (histocompatibility lymphocyte antigen) typing, which is essential to determine the compatibility of a candidate for a kidney transplant with potential donors. These kits require only two to three millilitres of blood from a patient and can be used for 70 specialized tests; but Cuba cannot purchase them.

64. In April 2001, the vitamin division of Roche reported that the United States Government would not permit it to send to Cuba, directly or indirectly, any product manufactured in the United States. Roche does not produce vitamin A (Acetate) anywhere but in the United States and therefore the contract was cancelled. The same thing happened with Amaquim, a company that supplies glue for the labels used on vials used for blood products; it too cancelled its contract with Cuba.

65. The restrictions in this area have seriously threatened the health of the Cuban people and have made it difficult to deal with diseases such as hepatitis, diseases of the gastrointestinal tract and dengue fever. Since August 2001, the Cuban Government has been trying to obtain pesticides in order to combat the *Aedes Aegypti* mosquito, a carrier of dengue fever, as the plant which produces the products is located in United States territory, we have been denied the right to obtain any.

66. This is not the first time that this has happened. In 1981, in the face of an epidemic of haemorrhagic dengue fever, which was brought into Cuba by an agent of one of the terrorist groups that operate, even now, against Cuba from the United States, the United States Government refused to sell the Cuban Government the inputs and equipment needed to combat that dangerous disease. As a result, 151 people died in the epidemic, including 101 children.

67. The restrictions and prohibitions on scientific exchanges and the obstacles placed in the way of obtaining financing for research and professional advancement programmes have had a tremendous impact on the development of our human resources in the area of health. Cuban scientists have repeatedly been denied visas to travel to the United States, access to scientific information continues to be restricted, as is the participation of Cuban researchers in science-related activities, courses and events, and eminent United States scientists continue to be forbidden to travel to Cuba.

68. The latest example is the case of researchers from the Centre for Molecular Immunology specialized in the development of new treatments (vaccines and antibodies) for cancer, who were supposed to travel to Orlando, Florida, to attend the annual meeting of the American Society of Clinical Oncology to be held from 18 to 21 May 2002. In the past two years alone, the United States Government has denied visas on more than six occasions to scientists from the Centre.

69. As indicated previously, at the end of last year the United States Government did not raise objections to the sale to Cuba of certain quantities of medicines and the raw materials to produce them. However, when Medicuba, the firm that imports medicines and medical inputs, contacted 17 United States firms and entities requesting medicines urgently needed to replenish the reserves used up in connection with the damage caused by Hurricane Michelle, the response was unsatisfactory.

70. Of the 17 firms contacted, eight did not reply, four expressed interest but made no offer and one (Pharmacia-Upjohn) said that it could not make an

offer because it had not received instructions from the Government; the four others made offers but operations could not be concluded since the prices were too high compared with those on the world market, except in the case of one product where the operation was abandoned because the negotiations took so long.

71. Cuba considers this behaviour to be attributable not to a reluctance on the part of the companies to do business with Cuba but to the fact that for several decades now there have been draconian prohibitions and a sophisticated Government system of prosecuting companies and severely punishing them for the slightest sign of disobedience; this continues to instil fear in them and prevents them from seeking to sell medicines to Cuba, even under the antiquated and inoperative licensing system.

Food

72. As we have already stated, one area that has traditionally been affected by the restrictions imposed under the United States embargo against Cuba is that of imports of food products for the population and for social consumption; those restrictions limit the quantity and quality of such products and have a direct impact on the food and nutrition status of Cubans and thus on their health.

73. The costs to our economy in this important sector as a result of the embargo amounted to $233.7 million in 2001. Of this, $103 million corresponds to the additional costs of imports of basic foodstuffs for the population, the domestic prices of which are subsidized by the State, and of foodstuffs for social consumption, which are provided free of charge in schools, hospitals, nurseries and old peoples homes.

74. This figure is considerable and can be broken down as follows:

- $38 million because of the price difference compared with other markets, the only ones that were within our reach and the costs of which were therefore artificially raised;
- $30 million in transportation costs owing to the tremendous distances that food must travel from other markets; and
- $35 million for the financial costs of operations, significantly increased because of the embargo.

75. In addition, since it has been impossible for the country to conduct operations in United States dollars on the international market for the past 40 years, the cost of transactions is increasing significantly, with Cuban entities having to absorb currency fluctuations and bank commissions for this type of service. In this regard, just to give an idea of what is involved, while the cost of credit for food imports on the international market is approximately 6 per cent, Cuba is charged between 9 per cent and 15 per cent as a consequence of the risk to banks and suppliers who offer financing. That means significant additional outlays each year.

76. Moreover, the fact that operations must be carried out in only one direction, thus preventing any Cuban exports to the United States, means the loss of substantial savings that might be realized if vessels could return to the United States carrying Cuban exports. In fact, by way of example, in the case of bulk shipments, approximately 36 per cent of transportation costs could be saved, as freight costs are on the order of $15.50 per metric ton, whereas that figure could be reduced to approximately $10.00 per metric ton if vessels could take cargoes back to the United States.

77. As if the ban on Cuban exports to the United States were not enough, it should be noted that licences issued by the Department of the Treasury, authorizing vessels of any nationality to carry food whose export to Cuba has been approved by United States Government agencies, explicitly prohibit taking any cargo in Cuban ports not only to the United States, but to any destination.

78. Added to the above is the fact that any United States business person who visits Cuba to engage in direct negotiations with his or her counterparts requires a licence from the Treasury Department authorizing the trip.

79. Accordingly, it can be stated that the additional costs caused by the impact of the embargo on Cuba's food imports are around 20 per cent to 25 per cent of their total value; those are resources that could be used to import larger quantities of powdered milk, poultry meat and soybean products and other equally essential items to feed children, the elderly and the sick.

80. In other words, if Cuba were to develop commercial ties with the United States that were normal from all points of view (financing, transportation and licence-free operations), it could increase food purchases from United States producers

by more than $500 million over the purchases it can make under the current licences.

81. If, as projected, food imports for consumption by the population, for social consumption and for tourism grow in the next five years to between $1.2 billion and $1.5 billion, the benefits to both United States producers and Cuban consumers would be considerable.

82. The economic damage caused by the embargo has also had a negative impact on the country's poultry and livestock raising.

83. The consumption of poultry meat and eggs has been drastically affected. United States sources themselves recognize in their statistics on the world poultry industry that in Cuba, poultry meat and egg consumption in 1990 was 12.2 kg and 10.3 kg per capita, respectively. In 2001, however, such consumption was estimated at 7.1 kg and 5.1 kg per capita, which shows a decrease in Cuban consumption of these important sources of protein.

84. The embargo prevents access by Cuba's poultry raising sector to state-of-the-art technologies developed by the United States, and this affects the capacity to increase egg and poultry production. The direct impact of the embargo on poultry production has been on the order of $59.6 million per year. The search for distant markets for raw materials for poultry feed, including grains and soybean meal, represented $14.3 million in additional costs, which could have been used to produce an additional 250 million eggs per year.

85. Pork production has also been seriously affected. Cuba currently produces only 50 per cent as much pork as it produced in the 1980s, as a result of the feed shortage affecting swine and the impossibility of using credits to finance the expansion of this sector.

86. Although Cuba is among the world's leading producers and exporters of citrus fruits, citrus products and by-products are totally excluded from the United States market as a result of the embargo, which leads to losses of $4.5 million per year in prices and freight costs.

87. In sum, actions designed to affect food consumption and trade have been key components of the policy of imposing an embargo on Cuba, so that shortages and deprivation will create a climate of instability and dissatisfaction among the population.

Education

88. For more than 40 years, the economic war against Cuba has inflicted numerous losses on the Cuban education system. Damage to the physical infrastructure of Cuban schools has been considerable, affecting such noticeable items as textbooks, pencils and notebooks, school uniforms, teaching aids for arts education and athletics, among others.

89. These losses have had a negative impact on the further development of the skills and capacities of Cuban children and youth and have been overcome only through the inventiveness and perseverance of a highly qualified and deeply committed teaching staff.

90. This genocidal policy has been aimed at blocking, at all costs, Cuba's access to new technologies, scientific and technological advances and sources of credit and financing for development through international agencies and financial institutions. Attempts have been made to bar the possibility of introducing computer technologies into the schools by thwarting access to other countries' markets and know-how and to hinder every endeavour by the Cuban Government to purchase school equipment.

91. The toughening of the embargo during the past decade has worsened the limitations and restrictions on education. One clear example of this is that the number of notebooks and pencils distributed during the 2001-2002 school year represented only 50 per cent of 1989 distribution levels.

92. The purchasing power of available financing for imports of teaching inputs for Cuban schools dropped by between 25 per cent and 30 per cent, owing to the need to purchase such inputs in distant markets, often at higher prices because of the restrictions imposed by the embargo.

93. One clear example of this is that imports of basic teaching aids and school inputs amounted to $19 million in 2001. Since items must be transported from distant markets, Cuba was forced to pay excess freight costs estimated at 20 per cent of the total value of the imports, an amount that could have purchased an additional 37 million notebooks or 185 million pencils.

94. Despite the negative impact of the embargo, the Cuban Government has prioritized the allocation of essential physical and financial resources to keep all the schools open and functioning in every school year. In 2001 alone, more than 2.3 billion pesos were

allocated to the education budget, the highest in Cuban history, representing 8.1 per cent of Cuba's gross domestic product (GDP).

95. It is also worth underscoring that, despite all these limitations and obstacles, new programmes have been launched in the past two years, such as the University for All, the audio-visual programme for children, teenagers and youth, the creation and expansion of the number of community video and computer clubs for students and the general public, the mass training of social workers and arts instructors to work in schools and communities, general and comprehensive training for young people between 17 and 29 years of age not studying or working, and so on. Intense efforts are being made to attain the goal of having no more than 20 pupils in each elementary and high school classroom.

96. In the case of educational computing programmes and the development of audio-visual and educational software, a significant effort has been made to provide all schools with the necessary resources: over 60,000 computers and tens of thousands of colour television sets and pieces of video equipment have been purchased and distributed and 12,000 teachers have been trained to teach computing classes for children, teenagers and young people.

97. These programmes have reached the remotest areas of the country. Some 2,000 schools lacking electricity were provided with solar panels and the necessary equipment for the comprehensive education of children.

98. Only the indomitable political will of the Cuban Government and its efforts to provide comprehensive education have made it possible to achieve a level of education higher than that of many countries in the region, a fact acknowledged by United Nations agencies such as the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the United Nations Children's Fund (UNICEF).

Impact on exports and services

99. The implementation by the United States of the economic, commercial and financial embargo against Cuba has had countless adverse effects on exports and services. Cuba's foreign trade has suffered substantial losses as a result of this criminal policy. Only last year, price differences, adverse financing and transportation conditions and higher insurance and freight costs led to additional outlays of $515.58 million.

100. One of our main export products, raw sugar, has been one of those most severely affected by the embargo. The cancellation of Cuba's sugar quota on the United States market in the early 1960s was a major blow to the Cuban economy. Suffice it to say that about 58.2 per cent of total sugar imports to the United States used to come from Cuba, and, for the Cuban economy, this used to account for 80 per cent of total revenue.

101. In addition, the embargo has denied Cuban sugar access to the New York Coffee, Sugar and Cocoa Exchange, which sets the benchmark price for raw-sugar exports worldwide. This has caused shortfalls and damaged competitiveness, with losses to the economy totalling $193.9 million during the period 2001-2002.

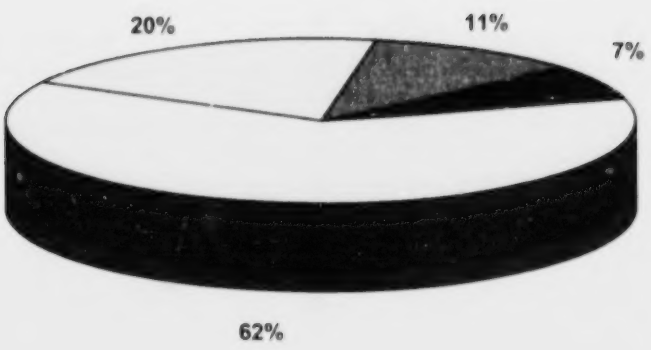
102. In May 1982, the United States Department of Agriculture introduced a new country quota system for sugar imports to the United States market. At present, 40 sugar-producing countries market their sugar through United States quotas, which guarantees them prices of about 21 cents a pound — four times higher than the increasingly residual world market price.

103. In the past year, Cuba would have been able to place approximately 918,180.23 metric tons on the United States market. Since it was denied access to that market, Cuba was obliged to sell its sugar at whatever prices could be negotiated, thus incurring a loss of $177.3 million.

104. Another of Cuba's leading export products, nickel, continues to be affected by the embargo. The United States maintains a ban on the import of any merchandise consisting wholly or partly of any component which is of Cuban origin or which has been produced from Cuban nickel. For that reason, in 2001 alone Cuba suffered a loss of $5.4 million.

105. This sector has also been affected by other factors which, in addition, have caused losses of $8.6 million. Such factors include use of intermediaries to place the product on the world market, impediments to the organization of periodic shipments through regular international shipping lines, the fact that the markets are far from Cuba and the limited competition among suppliers prepared to trade with Cuba.

Principal losses



106. One foreign trade activity closely linked to food production and health is the import of chemicals. For example, as far as fertilizers are concerned, the embargo has forced Cuba to pay up to $47 more than world levels per metric ton, which meant that in 2001 it spent an additional $2.3 million.

107. In this connection, efforts to control such pests as the coffee weevil, *Thrips palmi* and *Sarocladium oryzae* (which all the evidence suggests were deliberately introduced into Cuban agriculture) ran into major obstacles when the company that traditionally sold to Cuba the pesticides needed for biological control was taken over by a United States company.

108. In the past decade, the Cuban tourist industry has made great strides and has become the main source of revenue for the nation's economy. This growth has taken place in a hostile environment, because of the tightening of the embargo. Many sectors are involved in tourism and none of them are immune from the adverse effects of the policy.

109. Specifically in the hotel sector, one example is worth mentioning. Hilton International Group PLC, headquartered in the United Kingdom, had to withdraw from advanced negotiations on the management of two hotels in Cayo Coco and Havana belonging to the Quinta del Rey S.A. joint venture. Hilton International informed the Cuban Ministry of Tourism that its lawyers were of the opinion that the United States authorities would interpret the proposed deal as a violation of the Helms-Burton Act, inasmuch as all the group's operations were governed within the framework of Hilton International Corporation, a United States subsidiary. If those negotiations had reached fruition, Cuba would have earned about $107.2 million in 25 years.

110. Cuba is an ideal stopover point for cruise ships in the Caribbean. It cannot, however, enjoy the benefits that would be generated by such services, because of the bans to which cruise lines are subjected under the Torricelli Act.

111. Between December 2001 and March 2002, the European company Festival Cruises based one of its largest vessels, the *Mistral*, in Havana and was using that home port as the starting point for its weekly cruises. Its itinerary is one of more than 20 listed in the company's catalogue. That is why it was subjected to intense pressure to suspend that itinerary. It was obliged to include in its catalogue for the period May to December 2002 a warning to the effect that the cruises could not be marketed in the United States.

112. Likewise, when Costa Crociere was taken over by Carnival Corporation — a United States company — the Department of State and the Department of the Treasury ordered an end to the Cuba project. This resulted in losses of about $62.2 million and in the freezing of the investment programme for the remodelling of the Sierra Maestra pier.

113. In addition to the aforementioned restrictions, United States legislation on the embargo bans American citizens from travelling to Cuba. This is a breach of the constitutional right of American citizens to travel freely to any country.

114. The adverse effects of this measure on tourism are considerable. On a visit to Cuba in April 2002, the President of the American Society of Travel Agents (ASTA) said that ASTA estimated that if the travel ban were lifted, 1 million Americans would travel to Cuba in the first year after it was lifted, a figure that would rise to 5 million American tourists five years later.

115. In tandem with such measures, the United States imposes fines and other criminal penalties, which have been increased by the present Administration. One example is the sizeable increase in fines for American citizens travelling to Cuba without proper authorization.

116. In 2001 alone, the Office of the Department of the Treasury investigating travel to Cuba imposed $7,500 fines on 698 American citizens, 520 more than in 2000.

117. On 15 March 2002, in a hearing before the Senate Appropriations Committee, the Treasury Secretary, Paul O'Neill, acknowledged that if the Bush Administration approved a reduction in resources to pursue and fine American citizens travelling to Cuba, those resources could be better used to combat terrorism. Hours later, in the face of pressure from the Cuban lobby in Miami, the White House issued a communiqué explaining that Secretary O'Neill supported the Administration's policy on travel to Cuba and that his words were not intended to promote any change.

118. Civil aviation is a vital link in the generation of income from tourism. The policy pursued by different United States Administrations, in violation of the rules and regulations of the Convention on International Civil Aviation (the Chicago Convention), specifically article 44, relating to the goals and objectives of the Convention, demonstrates the intention to isolate Cuba from the international system.

119. The restrictions described in the report sent by Cuba last year (see A/56/276) have been maintained and have caused, as o. May 2002, losses equivalent to $153.6 million. These restrictions make it impossible to purchase and lease high-performance aircraft, and deny access to new technologies relating to communications, air navigation and radio determination stations. They limit access by our airlines to computerized reservation systems such as Sabre, Galileo and Worldspan. Cuban airlines are denied access to the services of United States suppliers of aviation fuel. There are many other restrictions.

120. This se:'tion of the report confirms the adverse impact of the embargo policy on the Cuban economy and gives a picture of the sacrifices and constraints imposed on the Cuban people for over 40 years. Taken together, the losses sustained in 2001 alone in nine sectors of the Cuban economy amount to the not inconsiderable sum of $643 million.

Section 211 of the Omnibus Appropriations Act of 1999

121. As was indicated in earlier reports, the Cuban Government has since December 1998 been denouncing, in the World Trade Organization (WTO) and other forums, the discriminatory nature of Section 211 of the 1999 Omnibus Appropriations Act of the United States.

122. The Section was approved by means of skilful procedures worked out by lawmakers closely linked to anti-Cuban interests with influence in United States political circles. Its objective was to extend the principles of the Helms-Burton Act to the field of intellectual property, which had been exempted from the embargo measures imposed against Cuba by the United States Government.

123. This provision, which is without precedent in the history of intellectual property, is specifically designed to create obstacles to the development of those foreign investments in Cuba that are associated with the international marketing of highly reputed Cuban products.

124. Section 211 was presented to the Subcommittee on Intellectual Property and Judicial Administration of the United States Senate by an attorney and adviser to Bacardi Ltd. at a time when that firm was facing a lawsuit in the District Court for the Southern District of New York, alleging the illegal use of the trademark "Havana Club", brought by the legal owners of the trademark, a fact that clearly indicates its link with the interests of that company.

125. That Section of the Act, together with the rest of the embargo measures, was thus used to support the ruling of the New York Court which deprived the Cuban-French joint venture Havana Club Holding of its rights to register and potentially market Havana Club Cuban rum in the United States, a ruling that has caused incalculable economic losses to the Cuban people.

126. The Appellate Body of WTO recently declared Section 211 to be incompatible with the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS), since it hinders the ability of the owners of commercial brand names and their successors in title to assert their rights in the courts of the United States.

127. Similarly, in January of this year, the same body found that Section 211 is contrary to basic principles of WTO such as the national treatment and most-favoured-nation obligations. Consequently, Section 211 should be amended or revoked since it is incompatible with the principles enshrined in the international commitments undertaken by the United States in the field of intellectual property.

128. Once more, the United States Government has disregarded recommendations by multilateral institutions and the international legislation that underpins their work. Cuba will continue to denounce the application of this provision until such time as it is rescinded, on the grounds that it is a clear violation of international intellectual property law.

Impact on other sectors of the national economy

129. As will be clear from the above, there are innumerable examples illustrating the enormous difficulties that our people have constantly faced over the past 40 years and that have caused significant damage to all areas of the national economy.

130. Other examples of the adverse effects of this policy are set forth below.

131. In March 2002, the United States non-governmental organization Resource Exchange International was threatened by the United States Interests Section in Havana on account of its scientific links with the Calixto García Hospital in Havana. That organization was forbidden to engage in joint research or scientific cooperation projects with any Cuban public health institution. Additionally, it was threatened with cancellation of its authorization to travel to Cuba should any cooperation documents be signed.

132. On 18 January of this year, Mr. Jonathan B. Hill, Adviser to the Airline Tariff Publishing Company (ATPCO), forwarded to the Head of the Tariffs Department of Cubana de Aviación the fax originally sent on 11 December 2001 announcing that, following a review of the control regulations for Cuba: "ATPCO will have to refrain from engaging in any business with Cubana". Thus, on 10 April 2002, all tariffs, regulations and data were deleted from the ATPCO database.

133. Joint ventures and key Cuban export sectors report substantial losses on account of their being unable to conduct business in United States dollars. Habanos S.A. reported a loss totalling $3.94 million on that account in 2001. Brascuba S.A. reported losses of $76,000 and the losses of Empresa de Telecomunicaciones de Cuba S.A. (ETECSA) totalled $959,800.

134. It remains impossible for Cuban insurance companies to purchase reinsurance protection on the United States market. Furthermore, owing to the increasing acquisition by United States companies of European reinsurance firms and brokers, 71 firms, including ERC Frankona, American Re, ACE Global Markets (AGM) and ACE Europe refused in 2002 to provide us with reinsurance protection solely by reason of their relations with United States interests.

135. There are absurd examples such as the following. In December 2001, Xerox AG in Zurich refused to renew the leasing contract for a photocopier for the Cuban Embassy in Switzerland. The justification given for this refusal was based on a document containing the United States export administration regulations in which Cuba is listed as a blockaded country with respect to computer technology products and software.

136. From the financial point of view, the situation described in Cuba's report for 2001 (see A/56/276) remains unchanged. Accordingly, Cuba still has no access to the traditional sources of financing in the United States or belonging to the Bretton Woods system. Thus, Cuba has been unable to participate in the loans offered by those institutions which, as indicated in the document mentioned, totalled $53 billion between 1997 and 2000.

137. For example, during the 2001 financial year, the World Bank and the Inter-American Development Bank, earmarked, respectively, $5,300.1 million and $7,956.8 million for Latin America. If Cuba had had access to the loans from those bodies during that year, it would have been able to obtain $250 million which would have permitted the financing of major social and infrastructure projects such as the construction of 150,000 two-room homes and two 600-bed hospitals, or the reconstruction of roads in Havana and the construction of two 600-bed hospitals.

138. Similarly, difficulties have continued to be experienced with regard to access to medium- and long-terms credit from banks and financial institutions in the rest of the world. As a result of the application to such operations of the so-called "Cuba risk", the country only has access to short-term credit at a high rate of interest, a fact that restricts the use of the available financial resources to ensure sustainable development and an adequate debt-servicing capacity. The few loans for development that are currently obtained are subject to interest rates of between 11 and 18 per cent, which increases the price of financing by between 5 and 12 percentage points as compared with credit that might be obtained from development bodies.

139. Similarly, the fact that Cuban banks are not allowed to maintain normal relations in terms of correspondent bank arrangements, accounts and interchange with their counterparts in the United States has had a substantial impact on the services requested by clients in that sector.

140. Companies with business in the oil sector face major difficulties in obtaining goods and services required for their operations. The fact that it is impossible to obtain them in the United States, the increase in the cost of doing so from other markets and the delay in deliveries for project implementation has meant a cost to the country in 2001 of 25 per cent above the normal cost of contracted products and services. Given the level of investments made, the impact totalled $24.6 million in that sector.

141. The following is a further case. In June, the General Manager of Texaco denied the Cuban Embassy in Belize the right to purchase fuel for its vehicles from Texaco under the pretext of complying with the regulations imposed by the blockade.

142. In the cement industry, the joint venture Cementos Curazao is facing restrictions on its access to new markets for the export of its output, as a result of the blockade. The resulting loss in 2001 was $2 million.

143. Foreign investments have not been shielded from the damage caused by the embargo, as is evident from a number of actions that have been taken by the Government of the United States to delay, obstruct and even prevent foreign investment in Cuba. The direct result was that, at the end of September 2001, the United States had made direct foreign investments of $134.1 billion, of which Cuba did not receive a single cent, as in every one of the past 43 years.

144. The Centre for the Promotion of Investments in Cuba has received more than 538 United States businessmen interested in investing in the agricultural, transport, food, pharmaceutical, tourism, communications and financial sectors. None of those expressions of interest has borne fruit because of the embargo policy.

145. Biotechnology is a revealing example of this. Thirteen world-class firms, six of them from the United States, showed interest in carrying out projects in Cuba but did not begin negotiations because of the obstacles raised by the embargo policy. The projects envisaged were worth some $200 million. The participation of those firms in the projects would have made possible the joint development of a range of products, as well as financing for the process of registering and subsequently marketing them.

146. It is worth pointing out that the Sherrit International Corporation and the BM Group of Israel are still subject to sanctions under the Helms-Burton Act.

147. Last year, the United States Department of the Treasury sent a note dated 30 May 2001 to the French firm Vert Agro BP, stating that its funds, amounting to $7,490 in Citibank of New York, had been placed in a blocked account because they were the result of negotiations with the Cuban firm Tropiflora.

148. Cuban port activity has been unable to collect $10 million per annum for repair services in our shipyards because of the limited number of ships arriving in our ports as a result of the restrictions imposed by the Torricelli Act. Moreover, approximately $1 million is lost annually because products such as catamarans and speedboats cannot be sold on the United States market.

149. The fishing industry suffers substantial losses as a result of high tariffs, the use of sources of supply remote from our natural geographical area, high freight rates and the purchase of supplies through third countries at prices 15 per cent higher than those of the United States market. In this context, losses between January 2001 and May 2002 are of the order of $18 million.

150. If the embargo were not in force, the Empresa productora de alambres y cables eléctricos (ELEKA) could purchase all its raw materials on the United States market, but it has to pay an additional $800 for each container imported.

151. As a result of the Helms-Burton Act, the creation of a joint venture for the production of fibre optic, coaxial and data transmission cables for sale in Cuba, Central America and the Caribbean has been thwarted, resulting in an annual loss of tens of millions of dollars.

152. The Cuban manufacturing group CICLEX, which buys products and equipment for the manufacture of bicycles, a much-used means of transport in Cuba, has had to pay prices 40 per cent above those on the United States market since their only market options are in Europe and Central and South America. This has meant additional expenses totalling $20.2 million.

153. The import of tires for equipment used in the agricultural sector has been affected by freight rates, which have increased by an additional half a million dollars because we have to go to the Asian market, where 80 per cent of our imports are purchased. This amount would cover the purchase of an additional 4,500 tires on the United States market.

154. In 2000, an electronic business project in Santiago de Cuba, which is being carried out with the support of the International Telecommunication Union to enable manufacturers in the eastern region of Cuba to sell their goods and services through the Internet, was brought to a standstill because the technology needed for digital certificates was unavailable; the suppliers, being United States firms, are not allowed to supply the technology to Cuba.

155. Software licences have to be purchased and updated, and technology transfers made, through third countries, because United States regulations limit Cuba's access to them. This increases prices and delays their purchase.

156. An example can be seen in the Netscape page: http://wp.netscape.com/es/download/index.html?cp=djues, which states:

> "Netscape Strong Encryption Eligibility.
>
> Netscape Browser software contains encryption technology that is subject to the U.S. Export Administration Regulations and other U.S. law, and may not be exported or re-exported to certain countries (currently Afghanistan (Taliban-controlled areas), Cuba, Iran, Iraq, Libya, North Korea, Serbia (except Kosovo), Sudan and Syria) or to persons or entities prohibited from receiving U.S. exports (including Denied Parties, entities on the Bureau of Export Administration Entity List, and Specially Designated Nationals). For more information on the U.S. Export Administration Regulations (*EAR*), 15 C.F.R. Parts 730-774, and the Bureau of Export Administration ("BXA"), please see the *BXA homepage*".

Conclusions

157. In the past year, the Government of President George W. Bush has reinforced its policy of economic aggression against Cuba and, like previous administrations, has maintained the economic, commercial and financial embargo against the Cuban people in open violation of the provisions adopted by

the General Assembly under the item entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba". The Government has taken specific steps to impose new measures to strengthen the rigorous system of control that is applied to verify compliance with the embargo.

158. The implementation of this genocidal policy continues to cause significant damage to the economy and living conditions of the Cuban people. In terms of economic losses alone, the embargo has cost Cuba over $70 billion during the period of over four decades that it has been in force.

159. With its embargo policy, the United States is continuing to hinder the full realization of Cubans' basic human rights, such as the rights to health and food.

160. The non-objection by the United States Administration to the sale of a certain amount of food to Cuba cannot be seen as a softening of its policy of hostility towards the Cuban people. New purchases have had to be made under tighter restrictions and numerous obstacles have had to be overcome.

161. President Bush himself has stated that the embargo continues in force unchanged and that it will be reinforced.

162. The United States, through legislation such as the Torricelli and Helms-Burton Acts, has institutionalized and systematized the extraterritorial application to third countries of its embargo against Cuba.

163. For all the above reasons, it is vitally important that the international community should overwhelmingly renew its request for an end to the United States economic, commercial and financial embargo against Cuba.

Cyprus

[Original: English]
[14 May 2002]

Cyprus does not favour any attempt to enforce laws in its territory that are promulgated by other States. It is therefore opposed to the adoption of any measures that have extraterritorial application on its territory.

Czech Republic

[Original: English]
[2 July 2002]

1. The Czech Republic applies no laws or administrative measures aimed at the restriction of its mutual economic relations.

2. The Czech Republic, in line with the provisions of resolution 56/9, does not consider political, economic or other forms of containment and isolation to be an efficient tool for substantially improving the situation in Cuba.

Democratic People's Republic of Korea

[Original: English]
[20 June 2002]

1. To oppose the imposition of unilateral sanctions on a sovereign State is the consistent position of the Government of the Democratic People's Republic of Korea.

2. Unilateral and extraterritorial sanctions imposed by the United States of America against Cuba are the result of the hostile United States policy against Cuba and constitute a violation of the principles of respect for the sovereign equality of States, non-intervention and non-interference in their internal affairs and freedom of international trade and navigation embodied in the Charter of the United Nations and international law.

3. The Government of the Democratic People's Republic of Korea denounces the attempt by the United States to bring about the collapse of the legal Government and social system in Cuba, while placing blame upon it for "human rights violations" and the "development and proliferation of weapons of mass destruction", and once again strongly urges the United States to end the economic, commercial and financial embargo against Cuba at the earliest possible date, in conformity with above-mentioned General Assembly resolution which was adopted by a majority of the Member States.

Ecuador

[Original: Spanish]
[17 May 2002]

Ecuador, in conformity with its Constitution and in accordance with the Charter of the United Nations and the principles of international law, has not adopted, nor will it adopt in the future, any laws that run counter to the freedom of international trade or violate the principle of non-interference in the internal policies of States. These principles are reflected in each and every legal, political and economic action taken by Ecuador both domestically and internationally. Consequently, Ecuador does not apply any type of sanction against Cuba and maintains normal diplomatic relations with that country. Also, Ecuador has supported the communiqués issued by the European Union, the Rio Group and the Movement of Non-Aligned Countries relating to the question and, on the basis of these considerations, has taken a very clear position against the Helms-Burton Act within the Organization of American States.

European Union

[Original: Spanish]
[28 June 2002]

1. The European Union believes that the United States trade policy towards Cuba is fundamentally a bilateral issue. Notwithstanding, the European Union and its member States have been clearly expressing their opposition to the extraterritorial extension of the United States embargo, such as that contained in the Cuban Democracy Act of 1992 and the Helms-Burton Act of 1996.

2. One should underline the fact that, in November 1996, the Council of Ministers of the European Union adopted a regulation and a joint action to protect the interests of natural or legal persons resident in the European Union against the extraterritorial effects of the Helms-Burton legislation, which prohibits compliance with that legislation. Moreover, on 18 May 1998, at the European Union/United States Summit in London, a package was agreed covering waivers to titles III and IV of the Helms-Burton Act; a commitment by the United States administration to resist future extraterritorial legislation of that kind; and an understanding with respect to disciplines for the strengthening of investment protection. The European Union continues to urge the United States to implement its side of the 18 May 1998 Understanding.

Gambia

[Original: English]
[2 July 2002]

The Government of the Republic of The Gambia has no intention of promulgating and applying any laws or measures be they economic, commercial or financial in character. Furthermore, the Government of the Republic of The Gambia has no laws or regime of sanctions in place against Cuba or any other country.

Greece

[Original: English]
[10 July 2002]

Greece has been implementing the said resolution in the light of the purposes and principles of the Charter of the United Nations and international law and has never thus far promulgated and applied any laws or regulations of the kind referred to in resolution 56/9 by which an economic, commercial or financial embargo against Cuba would be applied. On the contrary, Greece has signed bilateral Agreements with Cuba on economic cooperation and on protection of investments.

Grenada

[Original: English]
[3 July 2002]

The Government of Grenada does not promulgate or apply any law or measure which would encroach on or undermine the sovereign rights of any State. Grenada, in recognition of the purposes and in adherence to the principles of the Charter of the United Nations and international law, does not support the negation or hindrance to the freedom of international trade and navigation by any State. Grenada therefore opposes the economic, commercial and financial embargo imposed by the United States of America against Cuba, supports resolution 56/9 and will honour its mandate.

Guatemala

[Original: Spanish]
[21 July 2002]

There are no legal or regulatory impediments in Guatemala to the freedom of transit or trade with the Republic of Cuba. Also, it is the policy of the Government of Guatemala to oppose any coercive measure that runs counter to the provisions of international law.

Guinea-Bissau

[Original: Portuguese]
[25 June 2002]

1. The Government of Guinea-Bissau has refrained from promulgating and applying any laws or measures against Cuba of the kind referred to in the preamble to this resolution, thereby complying with its obligations under the Charter of the United Nations and international law, inter alia, with regard to the freedom of trade and navigation.

2. The Government of Guinea-Bissau notes with regret, however, that, although the General Assembly has for 10 successive years adopted resolutions on the matter in question and by an overwhelming majority of the Member States, the super-Power in question has shown no signs of relaxing its policy of economic, commercial and financial strangulation of Cuba.

Guyana

[Original: English]
[15 May 2002]

The Republic of Guyana has not promulgated or applied any laws or regulations the extraterritorial effects of which affect the sovereignty of other States. It is thus fully in observance of resolution 56/9 and is committed to continuing support.

Haiti

[Original: French]
[19 April 2002]

The Republic of Haiti has refrained from promulgating and applying laws and regulations whose extraterritorial effects affect the sovereignty of other States.

Holy See

[Original: English]
[5 June 2002]

The Holy See has never applied any economic, commercial or financial laws or measures against Cuba.

Iceland

[Original: English]
[23 April 2002]

Iceland has the honour to state that there have never been any restrictions imposed by Icelandic authorities on trade with Cuba.

India

[Original: English]
[26 June 2002]

1. India has not promulgated or applied any laws of the type referred to in the preamble to the above-mentioned resolution and, as such, the necessity of repealing or invalidating any such laws or measures would not arise.

2. India has consistently opposed any unilateral measures by countries which impinge on the sovereignty of another country. This includes any attempt to extend the application of a country's laws extraterritorially to other sovereign nations.

3. India recalls the Final Communiqué adopted by the Ministerial Meeting of the Coordinating Bureau of the Movement of Non-Aligned Countries held in Durban, South Africa, in April 2002 on this subject and urges the international community to adopt all

necessary measures to protect the sovereign rights of all countries.

Indonesia

[Original: English]
[1 July 2002]

1. Indonesia has always been a country committed to the principles of justice, equality and peace, the importance of which is clearly stipulated in the 1945 Constitution of the Republic of Indonesia. The Charter of the United Nations and other generally recognized instruments of international law also contain provisions on compliance with those principles, as well as with the principles of sovereign equality of States, non-intervention and non-interference in their internal affairs and freedom of international trade and navigation. It is therefore fitting that Indonesia has continuously endeavoured to renounce the use of coercive measures as a means of exerting pressure in relations among States Members of the United Nations. Consequently, Indonesia has not promulgated or implemented any laws or measures contrary to international law and the Charter of the United Nations that restrict or impede the flow of trade and impinge on the sovereignty of other States Members of the United Nations.

2. In this context, Indonesia regrets to note that a unilateral economic embargo continues to be imposed on Cuba for more than 40 years, which condition is even further compounded by the application of a national act with its extraterritorial ramifications. As a result of the perpetuation of the promulgation and application of these regulations, various United Nations organs and agencies have reported on the immensely adverse socio-economic effect they have had on the Cuban people, and in particular the elderly, women, youth and the infirm, and thereby seriously impeded the development aspirations of the Cuban people.

3. In this connection, Indonesia recalls that the heads of State and Government have resolved, in the 2000 United Nations Millennium Declaration, among others, to minimize the adverse effects of United Nations economic sanctions on innocent populations. Furthermore, Indonesia also recalls that the heads of State or Government of the Movement of Non-Aligned Countries and of the Group of 77 and China have called, respectively in the 1998 Summit Final Document and in the 2000 Declaration of the South Summit for an end to be put to the economic, commercial and financial actions against Cuba. Therefore, in heeding these calls of the heads of State and Government of the international community and mindful of the increasingly overwhelming support of the States Members of the United Nations for the subsequent General Assembly resolutions on ending the embargo against Cuba, Indonesia calls for the lifting of the unilateral economic embargo imposed against Cuba.

4. In this context, Indonesia encourages differences among the States Members of the United Nations to be settled peacefully on the basis of the principles of equality, mutual respect and good-neighbourliness so as to allow steps to be undertaken and pursued with vigour towards the ultimate lifting of the economic, commercial and financial embargo that has had disadvantageous consequences for the people of Cuba, in particular its vulnerable population.

Iran (Islamic Republic of)

[Original: English]
[5 June 2002]

1. Historically, unilateral economic measures as a means of political and economic coercion against developing countries have been in contradiction with the spirit of the Charter of the United Nations which promotes solidarity, cooperation and friendly relations among countries and nations. In the current conducive international economic environment, such measures contravene all laws, principles and norms governing international relations in the field of global trade and aimed at increasing extensive commercial and economic interaction among countries.

2. The use of unilateral measures as a means of political and economic coercion against developing countries has been condemned by decisions and resolutions of various bodies of the United Nations, particularly the General Assembly and the Economic and Social Council. The international community should become more vocal about the necessity of repealing them and preventing similar actions.

3. The adoption and application of unilateral coercive measures impedes the full achievement of economic and social development by the population of

the affected countries, in particular children and women, and hinders their well-being and creates obstacles to sustainable development and the full enjoyment of their human rights, including the right of everyone to a standard of living adequate for their health and well-being and their right to food, medical care and the necessary social services. It must be ensured that food and medicine are not used as tools for political pressure.

4. Since resort to unilateral economic coercive measures jeopardizes the legitimate economic interests of the targeted developing countries and while the United Nations system and other relevant international and multilateral organizations are redoubling their endeavours towards the creation and strengthening of a conducive international economic environment capable of providing equal opportunities for all countries to benefit from international economic, financial and trade systems, it is also necessary that the views of countries be sought about the possible measures the international community might take to develop ways and means for compensating the losses of targeted countries by those who resort to such unilateral measures.

Iraq

[Original: Arabic]
[12 June 2002]

1. The United States of America still persists in ignoring the will of the international community and has now maintained the embargo against the people of Cuba for more than 40 years despite the many resolutions on the matter adopted by the United Nations General Assembly. The most recent of these is resolution 56/9, adopted by an overwhelming majority on 27 November 2001, in which the Assembly calls for an end to the economic, commercial and financial embargo imposed by the United States of America against Cuba.

2. The insistence of the United States on maintaining the inhuman embargo against the people of Cuba reflects its disregard for the will of the international community and is in flagrant violation of the Charter of the United Nations and the principles and norms of public international law and international humanitarian law. This includes the Convention on the Prevention and Punishment of the Crime of Genocide, inasmuch as the embargo against Cuba violates the right to life of an entire people. Furthermore, the laws and regulations of an economic and commercial character that are enacted by the United States and applied to Cuba represent blatant interference in matters that are essentially within the domestic jurisdiction of an independent, sovereign State that is a Member of the United Nations. This embargo is also one among many other manifestations of United States interference in the internal affairs of Cuba that include the organization, encouragement and financing of acts of sabotage with a view to promoting instability as well as incitement against Cuba's political regime.

3. Iraq, which has expressed its rejection of measures such as those taken by the United States of America against Cuba, has neither promulgated nor applied any laws or measures of the kind prohibited by the aforesaid General Assembly resolution. In another respect, the people of Iraq is also the victim of the American proclivity for aggression that is exemplified in the persistence of the United States of America in maintaining the comprehensive sanctions imposed on Iraq, in its unilateral use of force against Iraq on a daily basis in the unlawful no-flight zones, in the fact that it encourages and finances acts of terrorism and sabotage with a view to undermining stability in Iraq, and in its explicit threats to invade Iraq and establish a proxy government in the country.

4. Iraq has thus far lost more than 1.6 million innocent children, women and older persons to the ongoing unjust embargo, which was imposed by the United States acting through the Security Council and which the United States has endeavoured to perpetuate by all possible means. Iraq has lost thousands of innocent civilians as a result of the military acts of terrorism and aggression that are being committed by the United States. This is to say nothing of the enormous damage done to all vital amenities and to Iraq's infrastructure or of the environmental contamination caused by the use of depleted-uranium munitions.

5. The continued pursuit by the United States of its embargo policy as a means of political coercion is to be repudiated, and it takes the international community back to times of backwardness and debasement. The international community is therefore required to make increased efforts to halt these practices.

Jamaica

[Original: English]
[28 June 2002]

1. Jamaica adheres firmly to the principles of sovereign equality of States, non-intervention and peaceful co-existence of States and attaches great importance to the observance of the principles enshrined in the Charter of the United Nations. Jamaica therefore strongly opposes the extraterritorial application of national legislation which could undermine the sovereignty of States.

2. Jamaica has consistently supported the several resolutions of the General Assembly calling for the cessation of the economic, commercial and financial embargo imposed by the United States of America against Cuba. We remain convinced that constructive engagement is the only viable option for the elimination of tension and ensuring peace and stability in the Caribbean. We are committed to strengthening our relations with Cuba, our nearest neighbour and a member of the Caribbean family.

3. There is no Jamaican law or measure which could have an extraterritorial impact on the sovereignty of any State, the legitimate interest of nations or hinder the freedom of trade and navigation.

Japan

[Original: English]
[14 June 2002]

1. The Government of Japan has not promulgated or applied any laws or measures of the kind referred to in paragraph 2 of resolution 56/9.

2. The Government of Japan believes that the economic policy of the United States towards Cuba should be considered primarily as a bilateral issue. However, Japan shares the concern, arising from the Cuban Liberty and Democratic Soldering Act (the Helms-Burton Act) of 1996 and the Cuban Democracy Act (the Torricelli Act) of 1992, regarding the problem of the extraterritorial application of jurisdiction, which is likely to run counter to international law.

3. The Government of Japan has been closely following the situation in relation to the above-mentioned legislation and the surrounding circumstances and its concern remains unchanged. Having considered the matter with the utmost care, Japan voted in favour of resolution 56/9.

Kazakhstan

[Original: English]
[28 June 2002]

The Republic of Kazakhstan, in adhering to the principles of the Charter of the United Nations and international law, does not promulgate or apply any laws or measures of the kind referred to in resolution 56/9.

Kenya

[Original: English]
[17 June 2002]

The Government of Kenya fully supports the resolution and has never promulgated or applied laws or measures which hinder the freedom of international trade and navigation.

Lao People's Democratic Republic

[Original: English]
[19 April 2002]

It is unfortunate that the embargo imposed by the United States of America over the past years against Cuba, an independent and sovereign country, continues to be in effect. Such an embargo with its extraterritorial implications has not only hindered the progress of Cuba in its socio-economic development and caused untold suffering to its people, but has also violated the principles of international law and those of the sovereign equality of States as well as of freedom of international trade and navigation. The Lao People's Democratic Republic, which adheres to and complies with all principles and purposes enshrined in the Charter of the United Nations and international law, has neither promulgated nor introduced any laws or measures of the kind referred to in paragraphs 2, 3 and 4 of resolution 56/9.

Lebanon

[Original: Arabic]
[31 May 2002]

As required by the principles of the Charter of the United Nations and international law, both of which affirm that it is essential to respect the sovereignty of other States and the legitimate interests of entities or persons under their jurisdiction as well as the freedom of trade and navigation, Lebanon is committed to the substance of General Assembly resolution 56/9.

Libyan Arab Jamahiriya

[Original: Arabic]
[5 June 2002]

1. In keeping with its endorsement of General Assembly resolution 56/9 of 27 November 2001, the Libyan Arab Jamahiriya once again affirms that it opposes the economic, commercial and financial embargo imposed by the United States against Cuba on the grounds that such an embargo is in flagrant violation of the purposes and principles of the United Nations and of the principles of the Organization's Charter that require its Members to resolve their disputes and differences by peaceful means. In conformity with the purposes and principles of the United Nations and out of respect for the norms of international law, the Libyan Arab Jamahiriya has neither promulgated nor applied any laws of the kind referred to in General Assembly resolution 56/9.

2. For more than two decades, the Libyan Arab Jamahiriya has been enduring coercive measures imposed upon it by the United States of America that are similar to those being maintained against Cuba. They have included the blocking of Libyan assets held in American banks, the imposition of restrictions on the transfer of technology to Libya and the debarment of Libyan students from pursuing advanced studies at American universities. The United States Government has, unfortunately, ignored all of the international appeals for an end to these measures, and it proceeded to strengthen the unilateral sanctions it had imposed on the Libyan people when, on 19 June 1996, the United States Congress enacted a law (H.R.3107) that imposed sanctions on any person who made an investment of 40 million dollars or more "that directly and significantly contributed to the enhancement of Libya's ability to develop its petroleum resources".

3. As is well known, this law, known as the D'Amato-Kennedy Act, has encountered widespread rejection and condemnation. The United States Government nevertheless still persists in enforcing and applying its provisions, as is indicated by the decision taken by the Committee on International Relations of the United States House of Representatives on 22 June 2001 to extend the law for another five years. This shows contempt for the will of the international community, which has expressed its categorical rejection of such laws through the statements and resolutions adopted by numerous international and regional organizations, including the Movement of Non-Aligned Countries, the Group of 77, the Organization of the Islamic Conference and the League of Arab States. The General Assembly of the United Nations has also adopted many resolutions on this matter, the most recent being resolution 55/6 of 26 October 2000 in which the Assembly reaffirms that all peoples have the right to self-determination and to endeavour to achieve economic, social and cultural development, expresses its deep concern at the negative impact of unilaterally imposed extraterritorial coercive economic measures on trade and financial and economic cooperation, including at the regional level, because they are contrary to the recognized principles of international law, and calls upon all States not to recognize or apply unilateral extraterritorial coercive economic measures imposed by any State on corporations and nationals of other States.

4. Since it considers that the imposition of coercive measures is incompatible with the purposes of the United Nations and violates the principles of international law, the Libyan Arab Jamahiriya reaffirms the provisions of paragraphs 2 and 3 of resolution 56/9 and calls upon the States concerned to desist from enforcing the laws and other coercive measures imposed on Cuba, or on any other country, and to take the necessary steps to repeal or invalidate them.

Liechtenstein

[Original: English]
[1 May 2002]

The Government of the Principality of Liechtenstein has not promulgated or applied any laws

or measures of the kind referred to in the preamble to resolution 56/9, adopted by the General Assembly on 27 November 2001. The Government of the Principality of Liechtenstein is furthermore of the view that legislation the implementation of which entails measures or regulations that have extraterritorial effects is inconsistent with generally recognized principles of international law.

Mali

[Original: French]
[2 July 2002]

1. The Government of the Republic of Mali wishes to express its continuing concern at the failure to implement the relevant resolutions of the General Assembly in which the Assembly urges the Government of the United States of America to lift its economic and financial embargo against Cuba.

2. The Government of the Republic of Mali is firmly convinced that the economic embargo imposed by the United States against Cuba and the Helms-Burton and D'Amato Acts are a violation of international law and of the principles of the Charter of the United Nations. Mali considers the extraterritorial effect of the above-mentioned Acts to be a violation of the territorial integrity of States and an impediment to freedom of trade and navigation.

3. The Government of the Republic of Mali continues to be deeply concerned at the adverse consequences of the economic embargo in force, which has worsened the situation of the most vulnerable sectors of the Cuban population, particularly women, children and the elderly, and wishes to reaffirm by this reply its continued opposition to the embargo imposed against Cuba.

Myanmar

[Original: English]
[5 June 2002]

1. The Government of the Union of Myanmar continues to maintain its consistent policy of strict compliance with the purposes and principles enshrined in the Charter of the United Nations. Myanmar is also one of the co-initiators of the Five Principles of Peaceful Coexistence and as such has scrupulous respect for the principles of the sovereign equality of States, non-intervention and non-interference in internal affairs, freedom of trade and international navigation.

2. The Union of Myanmar is of the view that the promulgation and application by Member States of laws and regulations the extraterritorial effects of which affect the sovereignty of other States and the legitimate interests of entities or persons under their jurisdiction as well as the freedom of trade and the freedom of navigation, violate the universally adopted principles of international law.

3. Furthermore, the Union of Myanmar is of the view that the imposition of an economic, commercial and financial embargo against Cuba can only have a negative impact on the civilian population, especially children and women. It also believes that these measures will adversely affect the peace and stability of the region.

4. Holding as it does the above view, the Union of Myanmar has not promulgated any law or regulations of the kind referred to in the preamble to General Assembly resolution 56/9.

Namibia

[Original: English]
[26 June 2002]

1. The Government of the Republic of Namibia believes in the sovereignty of each nation-State and upholds the principles of non-interference in the internal affairs of other States.

2. The Government of the Republic of Namibia has never supported or imposed any trade, economic, commercial or financial sanctions against Cuba. The Government of the Republic of Namibia condemns the Helms-Burton Law, which has a wide extraterritorial nature. This law is a direct violation of State sovereignty, a serious breach of the principles of the Charter of the United Nations, international law, and a violation of the rules of the international trade system.

Nigeria

[Original: English]
[28 June 2002]

Nigeria has consistently voted in favour of the resolution. The support accorded the resolution by Nigeria is in accordance with the principles of international law as contained in the International Bill of Human Rights, namely, the Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights.

Norway

[Original: English]
[21 June 2002]

Norway has not enacted any economic embargo against Cuba or adopted other measures contradictory to General Assembly resolution 56/9.

Pakistan

[Original: English]
[15 July 2002]

Pakistan is fully in observance of resolution 56/9, entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba".

Panama

[Original: Spanish]
[12 July 2002]

1. The Republic of Panama has not taken any legislative or other measures designed to implement sanctions against Cuba or to limit freedom of trade or navigation.

2. The Government of Panama opposes the unilateral application, with extraterritorial effects, of national laws and measures that affect the trade and international relations of other States, since they are contrary to international law and the principle of the legal equality of States. Panama also considers that the use of economic measures as a means of exerting pressure is contrary to the principles of the Charter of the United Nations and international law.

Paraguay

[Original: Spanish]
[25 June 2002]

1. In accordance with the principles enshrined in the National Constitution of the Republic of Paraguay, the Charter of the United Nations and the general principles of international law, the Government of Paraguay considers that the extraterritorial application of domestic laws constitutes an attack on the sovereignty of other States, the legal equality of States and the principle of non-intervention; it also has an impact on international free trade and navigation.

2. Accordingly, the Government of Paraguay has not adopted any kind of restrictive measures with respect to trade with Cuba, nor any other measure that contravenes General Assembly resolution 56/9.

Peru

[Original: Spanish]
[1 July 2002]

1. No law or measure whatsoever of the kind referred to in General Assembly resolution 56/9 exists or is applied in Peru. The position of the Government of Peru on this matter is based on the joint measures adopted at meetings of the Permanent Mechanism for Consultation and Concerted Political Action in Latin America (Rio Group) and on the declarations adopted at the Ibero-American Summits held in recent years.

2. The Government of Peru does not agree with the application of unilateral and extraterritorial measures which seek to affect the internal political process or to impose one State's laws or regulations on third States. Peru considers that respect for international law is essential and reaffirms respect for the principles of non-intervention and the sovereign equality of States.

3. In that connection, Peru urges the Government of the United States of America to put an end to the implementation of the Helms-Burton Act, in accordance with the relevant United Nations resolutions.

4. Lastly, the Government of Peru wishes to reaffirm its strong and unswerving commitment to the common objectives of guaranteeing representative democracy, respect for human rights and economic freedom.

Philippines

[Original: English]
[26 June 2002]

The Government of the Philippines has not instituted and does not intend to institute any measures directed at restricting trade and economic relations with Cuba.

Poland

[Original: English]
[5 July 2002]

The Republic of Poland, in compliance with its obligations under the Charter of the United Nations, neither promulgates nor applies any legal measures referred to in General Assembly resolution 56/9.

Qatar

[Original: Arabic]
[8 May 2002]

1. The State of Qatar has not enacted or applied any laws or regulations of an extraterritorial character or that affect the sovereignty of other States or the legitimate interests of entities or persons in their territory, or the freedom of international trade and navigation, and it has taken no other measures that are contrary to General Assembly resolution 56/9.

2. The Government of the State of Qatar pursues a policy of strict compliance with the purposes and principles enshrined in the Charter of the United Nations, especially the principle of the sovereign equality of States and that of non-interference in their internal affairs.

3. The Government of the State of Qatar rejects the use of economic measures as a means to achieve political objectives, and it adheres in its relations with other countries to the basic principles of the Charter of the United Nations and the norms of international law.

Russian Federation

[Original: Russian]
[3 July 2002]

1. The Russian Federation, like the overwhelming majority of States Members of the United Nations, firmly rejects the United States embargo against Cuba and is in favour of its repeal. Our position on this matter has been consistent and unvarying: at all previous sessions of the General Assembly, the Russian Federation has voted for the resolution calling for an end to the economic, commercial and financial embargo imposed by the United States of America against Cuba.

2. The Russian Federation considers that the United States embargo against Cuba is out of keeping with the times and with modern international relations and is a relic of the cold war, which has no place in the realities of the twenty-first century. We are also firmly against any measures of an extraterritorial nature, such as the Helms-Burton Act which is contrary to the basic standards and principles of international law.

3. Being in favour of any realistic steps designed to normalize United States-Cuban relations, the Russian Federation notes with regret that the tone of statements by the United States of America concerning key aspects of its policy towards Havana shows that the United States is, as before, relying on sanctions as a means of influencing the Republic of Cuba.

4. The Russian Federation is convinced that the lifting of the commercial, economic and financial embargo against Cuba would be a major step towards the normalization of relations between Havana and Washington, which would be in the interests of the peoples of Cuba and the United States and would have a beneficial impact on the overall situation in the region of Central America and the Caribbean.

5. Taking its stand on the principles set forth in the resolution concerning the sovereign equality of States, non-interference in their internal affairs and freedom of trade and international navigation, the Russian Federation affirms its intention to continue to develop normal trade and economic relations with Cuba that are based on common interest and mutual advantage and are conducted in strict accordance with the Charter of the United Nations and the generally recognized principles and norms of international law, without any

discrimination and without detriment to the legitimate rights and interests of the parties.

6. Being guided by the fundamental principles of the Charter concerning the inadmissibility of any discriminatory measures or interference in the affairs of either party, the Russian Federation considers it essential, in continuation of its stand at earlier sessions of the General Assembly, to vote at the current session in support of the draft resolution calling for the lifting of the embargo, and expresses the hope that the normalization of Cuban-United States relations, for which the international community has consistently expressed its support, will become a reality in the very near future.

Rwanda

[Original: English]
[9 July 2002]

Rwanda had not previously maintained any economic, commercial or financial relations with Cuba during the earlier period but is currently in the process of developing them. Therefore Rwanda supports the above-mentioned resolution of the General Assembly and its full implementation.

San Marino

[Original: English]
[16 April 2002]

The Republic of San Marino has not promulgated or applied any laws or measures of the kind referred to in resolution 56/9, entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba", in conformity with its obligations under the Charter of the United Nations and international law.

Sao Tome and Principe

[Original: English]
[28 June 2002]

The Government of Sao Tome and Principe has always maintained good relations of cooperation and therefore does not have any policy or rules to promote an economic, commercial or financial embargo against Cuba.

Seychelles

[Original: English]
[25 June 2002]

1. The Government of the Republic of Seychelles fully endorses the content of resolution 56/9, entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba", adopted by the General Assembly on 27 November 2001, and consequently does not have, nor does it apply, any laws or measures which may in any manner or form constitute or contribute to the imposition of an economic, commercial or financial embargo against Cuba.

2. Furthermore, the Government of Seychelles is of the view that legislation whose implementation entails measures or regulations having extraterritorial effects is inconsistent with generally recognized principles of international law.

Slovakia

[Original: English]
[12 July 2002]

1. The Slovak Republic has voted in the General Assembly in favour of ending the economic, commercial and financial blockade imposed by the United States of America against Cuba.

2. The Slovak Republic does not pass or enforce laws or regulations with extraterritorial effects or affecting the sovereignty of other States, legal rights of citizens or the freedom of trade and navigation.

South Africa

[Original: English]
[2 July 2002]

In conformity with the purposes and principles of the Charter of the United Nations, the Republic of South Africa reiterates its opposition to the unilateral punitive economic, commercial and financial embargo imposed by the United States of America against Cuba. In this regard and consistent with General Assembly

resolution 56/9, the Government of South Africa maintains political, economic, trade, financial and cultural relations with Cuba pursuant to action required under the resolution.

Sudan

[Original: English]
[26 June 2002]

1. The Government of the Sudan pursues a policy that respects the principle of the sovereign equality of States and non-interference in the international affairs of others. Consistent with its principled stand, the Sudan, which opposes the imposition of sanctions on developing countries, voted in favour of General Assembly resolution 56/9, as did the majority of Member States. The Government of the Sudan reaffirms that it does not promulgate or apply any laws or measures that could, by being applied outside its own national borders, affect the sovereignty of any State.

2. On the basis of the foregoing, the Sudan opposes the economic and commercial embargo imposed by the United States against Cuba, which has caused great damage to the Cuban people and violated its legitimate rights and interests, being a flagrant violation of international law and the Charter of the United Nations and showing disregard for their lofty and noble principles.

3. Sudan itself is suffering from the unilateral economic sanctions imposed on it by the United States pursuant to the executive order signed by former President Clinton in early November 1997. It was unfortunate that the United States, in order to exert pressure on the Government of the Sudan, imposed those sanctions on the basis of ungrounded suspicions and accusations that have remained unsubstantiated for many years. Such unilateral sanctions are in violation of the legitimate right of the Sudan and its people to choose their own political, economic and social system that fully responds to their aspirations.

Syrian Arab Republic

[Original: Arabic]
[22 May 2002]

1. Proceeding from its position of principle with respect to the item entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba", the Syrian Arab Republic voted in favour of General Assembly resolution 56/9, affirming as it does the need for compliance with the purposes and principles of the Charter of the United Nations, the sovereign equality of States and non-intervention in their internal affairs and freedom of international trade and navigation. The resolution in question also urges States to take the necessary steps to end as soon as possible the economic, commercial and financial blockade that has been maintained against Cuba for more than three decades. The Syrian Arab Republic would like to recall in this connection the final document of the Ministerial Meeting of the Coordinating Bureau of the Movement of Non-Aligned Countries, held in Durban, South Africa in April 2002, in which the ministers (para. 171):

> " ... again called upon the Government of the United States of America to put an end to the economic, commercial and financial embargo against Cuba, which, in addition to being unilateral and contrary to the United Nations Charter and international law and to the principle of neighbourliness, causes huge material losses and economic damage to the people of Cuba. The Ministers once again urged strict compliance with the [relevant] resolutions ... of the United Nations General Assembly. They expressed deep concern over the widening of the extraterritorial nature of the embargo against Cuba and over continuous new legislative measures geared to intensifying it. ..."

2. We also refer to the consensus reached by the developing countries at the South Summit of the Group of 77 and China, held in Havana in 2000. The Summit categorically rejected the imposition of laws and regulations with extraterritorial impact and all other forms of coercive economic measures, and it expressed grave concern over the impact of economic sanctions on the development capacity of the targeted countries. It also adopted a special appeal from all the leaders of the developing countries for the immediate lifting of

this embargo, given that it involves measures that are causing the Cuban people enormous material losses and inflicting huge economic damage, to say nothing of the fact that they are unilateral and in contravention of the Charter of the United Nations, international law and the principle of good neighbourliness.

3. The international community has frequently stated that it rejects the maintenance of the sanctions unilaterally imposed on Cuba and the so-called Helms-Burton Act, which exceeds the jurisdiction of national legislation and encroaches on the sovereignty of other States that deal with Cuba. This is incompatible with the principle of the sovereign equality of States. Experience has shown that, for the most part, sanctions regimes have caused enormous material damage and have inflicted major economic losses on the civilian inhabitants of the countries targeted.

4. Accordingly, the Syrian Arab Republic calls for an end to the economic, commercial and financial embargo imposed by the United States of America against Cuba. This would open up the prospect for a positive climate in international relations and enhance the role of "international legitimacy" in safeguarding the principle of the sovereign equality of States.

Thailand

[Original: English]
[28 June 2002]

1. Thailand disagrees with the extraterritorial imposition of unilateral measures by one State against another State, or upon other third States, which is contrary to the norms of international law and the principles of the Charter of the United Nations.

2. Thailand has not promulgated and applied domestic laws or measures of the kind referred to in the preamble to the said resolution.

Tunisia

[Original: French]
[17 July 2002]

The Tunisian Government does not apply any unilateral measures that have extraterritorial effects.

Turkey

[Original: English]
[21 June 2002]

1. Turkey does not have any laws or measures of the kind referred to in the preamble to General Assembly resolution 56/9 and reaffirms its adherence to the principle of freedom of trade and navigation in conformity with the Charter of the United Nations and international law.

2. The Government of Turkey is of the view that differences and problems between States should be settled through dialogue and negotiations.

Uganda

[Original: English]
[24 May 2002]

Uganda has not and does not intend to promulgate and apply laws and measures of the kind referred to in the preamble to resolution 56/9.

Ukraine

[Original: English]
[May 2002]

1. Ukraine does not have any legislation or regulations whose extraterritorial effects could affect the sovereignty of other States and the legitimate interests of entities or persons under their jurisdiction, or the freedom of trade and international navigation.

2. Equally, the Government of Ukraine does not accept the use of economic measures as a means of achieving political aims and upholds, in its relations with other countries, the fundamental principles of the Charter of the United Nations, the norms of international law and the freedom of trade and navigation.

Uruguay

[Original: Spanish]
[12 July 2002]

Uruguay maintains a foreign policy favouring freedom of trade and navigation and does not recognize

in its legislation the extraterritorial application of domestic laws that violate the principle of non-intervention in the internal affairs of States or the rules of the World Trade Organization relating to the development of world trade. Accordingly, the Government of the Eastern Republic of Uruguay has not applied any measures or laws of the kind referred to in resolution 56/9.

Venezuela

[Original: Spanish]
[24 June 2002]

1. The Bolivarian Republic of Venezuela has consistently and repeatedly rejected the promulgation and implementation of laws and regulations with extraterritorial effects that infringe the sovereignty of other States and the legitimate interests of entities or persons under their jurisdiction and which have a negative impact on the freedom of international trade and navigation.

2. Venezuela considers that unilateral measures such as the embargo imposed on Cuba, which is of a coercive and extraterritorial nature, have an adverse impact on the legal framework defining economic and commercial exchanges between nations and undermine the efforts that have been made to achieve continental and subregional economic integration.

3. On that basis, Venezuela has voted in favour of the resolutions condemning the embargo imposed on Cuba by the Government of the United States of America that have been adopted since 1992 by the General Assembly of the United Nations.

4. General Assembly resolution 56/9 of 27 November 2001 once again expressed concern at the promulgation and application by Member States of laws and regulations such as that promulgated on 12 March 1996 known as the "Helms-Burton Act", the extraterritorial effects of which affect the sovereignty of other States, the legitimate interests of entities or persons under their jurisdiction and the freedom of trade and navigation, and once again urged those States that have applied and continue to apply such laws and measures to take the necessary steps to repeal or invalidate them as soon as possible in accordance with their legal regime.

5. Venezuela has adopted a consistent position on this matter in various international forums in which the subject of the application of unilateral coercive measures with extraterritorial effects has been discussed.

6. In the Lima Declaration, adopted at the Eleventh Ibero-American Summit held in Peru on 23 and 24 November 2001, the Heads of State and Government condemned the embargo against Cuba in the following terms: "We reiterate our firm rejection of any unilateral and extraterritorial application of national laws or measures of a State that infringe international law and attempt to impose that State's own laws and arrangements on third countries. In that context, we urge the Government of the United States of America to bring an end to the application of the Helms-Burton Act in accordance with the relevant resolutions of the General Assembly of the United Nations.

7. In the Final Document of the Ministerial Meeting of the Coordinating Bureau of the Movement of Non-Aligned Countries held from 27 to 29 April 2002 in Durban, South Africa, the Ministers again called upon the Government of the United States to put an end to the economic, financial and commercial embargo against Cuba, which, in addition to being unilateral and contrary to the Charter of the United Nations and to the principles of international law, is causing tremendous material losses and economic damage to the people of Cuba.

8. The Heads of State and Government of the European Union, Latin America and the Caribbean, meeting in Madrid, adopted a political declaration, the "Madrid Commitment", on 17 May 2002 whereby they firmly rejected all measures of a unilateral character and with extraterritorial effect, which are contrary to international law and the commonly accepted rules of free trade, and agreed that this type of practice poses a serious threat to multilateralism.

9. The position of Venezuela is consistent with the almost unanimous rejection by the international community of the promulgation and application of this kind of unilateral and extraterritorial coercive measures, which are a clear violation of the principles of international law and of the Charter of the United Nations.

Zimbabwe

[Original: English]
[25 June 2002]

Zimbabwe has never imposed and will not impose any economic, commercial or financial embargo against Cuba. Zimbabwe believes in the United Nations principles of equality of sovereign States and that, any disputes between and among States have to be settled within the United Nations. Unilateral punitive actions against any Member negate the letter and spirit of the United Nations. Zimbabwe therefore calls for an immediate cessation of the embargo against Cuba, which should not have been implemented in the first place. Concepts of "might is right" should find no place in the United Nations.

III. Replies received from organs and agencies of the United Nations system

Office of the Resident Coordinator of the United Nations system's operational activities for development

[Original: English]
[3 July 2002]

1. For the past few years, the Office of the Resident Coordinator has been preparing annual reports on the effects of the embargo imposed by the United States of America against Cuba. The present report should be read in conjunction with those reports, given that the situation has changed neither in terms of the severity of the embargo nor in terms of its negative effects on the Cuban people, mostly the vulnerable. If anything — and that is the theme of the report of this year — the embargo has served to exacerbate the negative effects of what was already a difficult year due to the world economic slowdown, the events of 11 September and the devastating effects of Hurricane Michelle on the country.

2. The year 2001 was probably one of the most difficult in Cuba's recent history. According to the annual report of the Economic Commission for Latin America and the Caribbean (ECLAC), Cuba's economy experienced a slowdown of 3 per cent. There were several causes for this, principal among them the world economic slowdown, the events of 11 September and its devastating effects, and a difficult year for the sugar sector. The damages of Hurricane Michelle, according to estimates of ECLAC, amounted to some US$ 1.5 billion. The negative effects of this can be measured not only in United States dollar terms (they are already significant given Cuba's cash-strapped economy) but also in the psychological effects on the population.

3. With the shortage of foreign exchange brought on by these difficulties, the Cuban authorities tried to cope through: the forced postponement of important social investments, the temporary closure of important tourist installations, the reduction of key imports and budgetary reductions.

4. In past reports, the Office of the Resident Coordinator has presented a series of negative effects of the United States embargo. Among them are:

- The negative effect on Cuban commercial relations with countries other than the United States that fear reprisals for doing business with Cuba;
- The scarcity and high cost of capital due to the perceptions of high risk and uncertainty brought on by the virtual isolation caused by the embargo;
- The increase in costs brought about by the importation of goods via circuitous routes and from sources that are not really competitive but are willing to provide crucial goods;
- The negative effects on key social services for vulnerable groups, namely children, the elderly and women;
- The higher cost of legitimate development projects, including those of the United Nations, which are also subject to the higher costs and limited availability of inputs;
- The reduced availability of relevant expertise, even for United Nations projects, due to the fear of individuals of various nationalities of reprisals from the United States;
- The difficulty and high cost of communications between Cuba and other countries, exacerbating the isolation not only of Cuban officials from potential partners but also of Cuban families from their dear ones abroad;

- The limited sources of technology for Cuba, which in turn makes it dependent on technology that is not necessarily the best or the cheapest. Both technology relevance and the cost to the economy suffer;

- The limitation on scientific exchanges with the United States, despite the rich potential that exists for the creation of good will and networks between these two countries among people that are not only willing but very eager to have these relations.

5. The embargo against Cuba also severely affects the capacity of Cuba to share its achievements in the areas of health and education, two sectors where the world community recognizes that Cuba has been able to attain major achievements when compared with most developing countries. Whether in the area of health services, where its outstanding pharmaceutical and biotechnology industries have given Cuba the possibility of producing important vaccines and other pharmaceutical products and sharing them with many developing countries around the world, or in the education sector, where Cuba has been able to achieve levels of literacy that are beyond those of most developing countries, the embargo and the fear of reprisals due to the embargo lower the possibilities for potential partners and investments from abroad. In these two areas, therefore, one might say that the effects of the embargo are negative not only for Cuba but for the potential beneficiaries in developing countries of Cuba's advances in health sciences and education.

6. During the twenty-sixth special session of the General Assembly on HIV/AIDS (June 2001), Cuba offered the world community several thousand doctors, health personnel and medicines to fight the HIV/AIDS pandemic, particularly in sub-Saharan Africa. Even with the help of the United Nations system, which has tried to promote this outstanding generous offer from Cuba in such an important campaign, the acceptance of these offers has been slow, as countries try to find complex and circuitous routes to benefit from them without great political visibility and exposure. The cost of benefiting from this offer is also an obstacle, as possible funding partners are less willing to enter into potential partnerships with Cuba for these purposes.

7. In the case of education, the scarcity of material resources for the publication of textbooks, the lack of availability of educational materials, the deterioration of many educational centres, the decrease in the quality of school lunches and the drop in material incentives for teaching personnel are all factors with medium- and long-term effects on the children and new generations of Cuba. In its determination to accord the highest priority to this sector, the Government of Cuba has tried to maintain key expenditures directed towards refurbishing existing facilities, opening new ones and reducing class size. But the deterioration of physical and material facilities in general is bound to have long-lasting and unfortunate effects. In most countries around the world, the challenge is to have sufficient budgetary allocations to this important sector. Cuba, one of the few that provides a good example in this regard, is constrained unnecessarily.

8. In the health sector, the impossibility of importing certain medicines and other inputs that are manufactured in the United States or by United States subsidiaries has a great negative impact on the quality of the services. When Hurricane Michelle struck, Cuba contacted 17 companies in the United States for the purchase of emergency medicines. Of these, only eight replied: four replied but did not make an offer and one indicated that it would not make an offer because it did not have a permit from the United States Government. In retrospect, it appears that all of them could have easily obtained a licence from the United States Government. The embargo, however, gives rise to an environment of uncertainty that undoubtedly discourages many from seeking business with, making sales to or even visiting Cuba.

9. Other negative effects in the health sector, already mentioned in previous reports, include the deterioration of hospital, clinic and health post facilities, emergency services around the country, uterine cancer prevention programmes, diagnostic facilities around the country and kidney disease sufferers. Negative effects also result from the lack of resources to treat water properly, with detrimental consequences on the health of children primarily.

10. Given the difficulties of the year in question, the United Nations system in Cuba has increased its efforts to bring partnerships and resources to address the main bottlenecks. The following is a highlight of some of these efforts:

- The United Nations system as a whole has increased its presence and assistance in the most

vulnerable provinces of the country with programmes designed to improve and increase the coverage of health services on vulnerable sectors of the population.

- The United Nations Educational, Scientific and Cultural Organization (UNESCO) has significantly increased its presence in the education and cultural sector through financial and methodological contributions to support the national action plan entitled "Education for All" in the framework of the Dakar follow-up, support for information networks among educational institutions, long-distance learning and programmes in support of cultural patrimony and heritage, handicraft industries and sports. It is also supporting programmes in environmental education and the national programme on HIV/AIDS.

- The Pan American Health Organization (PAHO) of the World Health Organization (WHO) conducts a programme covering 80 of the 169 municipalities in the country that supports the National Health System through the provision of technical assistance and access to investments and material support.

- The World Food Programme (WFP) conducts a large programme of food for vulnerable groups in the eastern provinces of the country.

- The Food and Agriculture Organization of the United Nations (FAO) provides important assistance designed to tackle the food security challenges of a country under an embargo.

- The United Nations Children's Fund (UNICEF) operates a broad programme designed to support vulnerable children and mothers throughout the country. The programme covers the areas of education, health, water and sanitation.

- The United Nations Development Programme (UNDP) has concentrated on forming important partnerships and mobilizing financial resources for a variety of key sectors that are crucial for improving the quality of life of the Cuban population.

11. However, assistance to Cuba by the United Nations and other sources is small and almost insignificant when compared with the needs of the Cuban population. In addition to the negative effects mentioned above, Cuba experiences difficulties in garnering support for its development programmes. The embargo by the United States is a big negative factor in this regard.

Economic Commission for Latin America and the Caribbean

[Original: English]
[3 July 2002]

1. Cuba possesses a small, insular, open economy with a fundamental need for foreign exchange and has been engaged in a process of institutional and economic reforms for almost 10 years. The basic rationale and objective of this process has been to become reintegrated in the international economy, under very different circumstances from those prevailing during the period of consolidation of its economic structure (1960-1989), while maintaining the fundamental objective of social equity.

2. This strategy has entailed significant changes in the structure of the Cuban economy. During recent years, the transition towards a service economy has continued at a moderate pace and has been accompanied by a policy of favouring those activities that generate foreign exchange through marketing products and services in dynamic markets, with more efficient use of energy and the use of skilled labour. These structural changes are reflected in a significant growth of service-related exports, which in 2001 represented around two thirds of total export sales, compared with 10 per cent in 1989.[7]

3. Following a healthy average annual rate of growth of 5 per cent in 1997-2000, the growth in the gross domestic product (GDP) in 2001 was only 3 per cent. The slowdown was mainly due to weak international demand for sugar and the reduction of tourism in the last trimester, as a result of the events of 11 September. In addition, in November 2001, Hurricane Michelle affected approximately half the national territory and caused serious damage to the central regions of the island. Direct and indirect damage is estimated by the Government at more than $1,800 million (6 per cent of GDP)[7] and although the socio-economic impact of this natural disaster was relatively small in 2001, it has been significant in 2002.

4. In the aftermath of Hurricane Michelle, the United States Government authorized the sale, limited

and only for this special occasion, of food and medicines to Cuba. The Cuban authorities agreed to the offer on the condition that they might pay in cash. This did not imply a fundamental change in the status of the United States embargo, but certainly constituted an unprecedented move within the framework of a complex bilateral relationship.

5. The slowdown in tourism, one of the most dynamic activities in the "new" Cuban economy, continued in the first half of 2002, making it difficult to attain the goal of 3 per cent growth in GDP for the year. In addition, the stagnant international demand for sugar, another important source of foreign exchange, kept prices at a depressed level, which, added to the low yields of sugar cane plantations, brought pressure to bear upon the Government to close 46 per cent of the sugar cane mills. Although prices have remained stable for the past three years, the scarcity of foreign exchange has led the Government to increase prices at the petrol pump and in the network of retail stores which accept only foreign exchange as a means of payment.

6. The Government maintains that the country has managed to sustain a sound economic growth rate in the recent period, but there would be much more rapid social and economic progress if there were no United States embargo. In a globalized economy characterized by increasing trade and investment flows, the restrictions imposed by the embargo against United States firms and other partners doing business with Cuba, its negative influence on the willingness of other nations to trade and invest with in Cuba, and, the resultant dangers and difficulties in gaining access to international financing and credit from suppliers are all critical factors that hinder Cuba's development.[4] The current slowdown in the world economy has brought into sharper relief Cuba's vulnerability to external events that are exacerbated by the United States embargo.

7. In this framework, ECLAC has continued cooperating with the Government of Cuba in several fields within the country, with the overall objective of achieving the best possible integration of Cuba into the world economy while preserving its social welfare system. The main areas of collaboration have been in the area of statistics: mainly national accounts, energy and capacity-building in competitiveness.

8. ECLAC is providing technical assistance to the Office of National Statistics in the execution of a project financed by the Swedish International Development Agency aimed at improving the National Accounts System. The project started at the beginning of 2002 and will continue for a period of two years. In a related initiative, ECLAC has also participated in a joint effort with the Human Development Report Office of UNDP to determine the possibility of calculating Cuba's GDP in terms of purchasing power parity. This figure is necessary for the formulation of the Human Development Index published by UNDP every year. The 2001 edition of *Human Development Report* did not include Cuba and several other countries because of a lack of relevant information, but as a result of this joint effort an estimate of Cuba's purchasing power parity will be included in the 2002 edition.

9. In the energy field, during 2001 and 2002, ECLAC continued collaborating in the execution of the UNDP project entitled "Support to the Programme of National Energy", mainly through the development of a cooperation scheme for conserving energy and of a portfolio of projects focusing on the efficient use of energy.

10. As part of its technical assistance and capacity-building, ECLAC organized and conducted two workshops on foreign trade and competitiveness for researchers and teachers of the Instituto Nacional de Investigaciones Económicas and the Instituto Superior de Relaciones Internacionales. Training was provided on the use of the "Competitive Analysis of Nations" programme, developed by ECLAC to evaluate export competitiveness and international trade trends. ECLAC also participated in a workshop on industrial development and competitiveness in which representatives from government, industry, academia and the United Nations discussed topics concerning the current situation of Cuban manufacturing, its problems and possible actions, with a view to formulating a joint proposal with the Government for a project for the rehabilitation of the manufacturing sector.

Food and Agriculture Organization of the United Nations

[Original: English]
[4 July 2002]

FAO technical assistance to Cuba

1. In terms of FAO technical cooperation work in Cuba, most activities have been financed from the Technical Cooperation Programme. Only since the year 2000 have there been projects funded from extrabudgetary resources (Italy and Netherlands) and by the Government of Cuba, through the Unilateral Trust Fund modality. FAO has experienced difficulties related to the embargo with the procurement of certain project equipment. For example, the FAO project TCP/CUB/0066 relating to the design of a national strategy to combat forest fires experienced difficulties in purchasing equipment and hand tools for fighting forest fires as well as communication equipment.

Overall situation of food security

2. During the 1990s, the overall progress achieved in decreasing the number of the undernourished in the developing world masks sharply contrasting trends in individual countries. Some countries made outstanding progress, while some moved forward more slowly or stood still. Others, including Cuba, suffered reverses. Cuba is one of the five countries with the largest increases in the prevalence of undernourishment during the 1990s. According to FAO estimates, the proportion of the undernourished in its population rose from 5 per cent in 1990-1992 to 17 per cent in 1997-1999. In absolute terms, Cuba added 1.4 million undernourished people, during the period, to reach an estimated total of 1.9 million in 1997-1999. Over the periods 1990-1992 and 1996-1998, the average daily food intake declined by around 500 calories per person.

Food and agriculture sector

3. Agriculture has historically been an important sector in the Cuban economy. For the past 40 years, agriculture has consistently represented over two thirds of Cuba's export earnings (including sugar, tobacco and citrus). Despite the dramatic decline in Cuba's export earnings since 1989, agriculture continues to represent over 75 per cent of the country's net export earnings. While it is difficult to distinguish the precise impact of the embargo from the impact of other factors, both internal and external, it would seem that the embargo has contributed to the following situations:

- Cuba has had to import food, agricultural inputs, machinery and spare parts from more distant and expensive markets, which has resulted in price increases for these products. Spare parts for machinery produced in the United States have been difficult, if not impossible, to obtain, as have specialized goods produced only by American firms.

- A decline has also been witnessed in certain agricultural activities due to the lack of access to improved technology and knowledge, basic inputs, management expertise, research, as well as the markets of its largest and closest neighbouring country, just 100 miles away. In terms of basic agricultural inputs, pesticide imports by Cuba dropped by more than 60 per cent and fertilizers by more than 70 per cent, since 1990.

- Reduced access to fertilizers and other agricultural imports appears to have affected productivity and yields. Yields for some major food crops have decreased. For example, citrus production has suffered from a diminished access to basic inputs, fertilizers in particular. The production area for citrus, which was 300,000 acres in 1974-1975, declined to 238,000 acres in 1994-1995. Production fell from 1 million metric tonnes in 1989 to 620,000 metric tonnes in 1993. The situation has been similar for sugar, which has also experienced a contracting external market.

- During the 1990s, annual vegetable production declined, with 392,000 tonnes produced in 1993, approximately 30 per cent less than the average annual production in the late 1980s. For example, Cuban tomato yields decreased approximately 20 per cent between 1975 and 1989. Tropical fruit production (mango, guava, papaya, pineapple and coconut) peaked in 1985 at 240,000 tonnes, by 1992, however, production had fallen to only 68,000 tonnes. Mango yields decreased by more than 20 per cent between 1975 and 1992. During the same period, guava yields fell about 35 per cent, and papaya yields decreased by half.

4. As pesticides and fertilizers have become increasingly expensive, Cuba has developed a strong

organic agriculture sector. However, the additional production of organics cannot compensate for the other losses nor does it have access either to its largest and nearest foreign market.

5. About 40 per cent of Cuba's food supply is imported. At the same time, the main export commodities, sugar and tobacco, have tended to dominate Cuban agricultural production. The need to import food from more distant markets has tended to increase transport costs. In fact, prices have increased for such imported commodities as meat, milk, rice, wheat and animal feed. The reliance on the main export crops and the costs associated with food imports have tended to increase food insecurity.

6. Cuba's intensive milk and meat producing industries, based on exotic, high-input and demanding animal genetic resources, imported concentrate feed and mineral fertilizers for forage/pasture production collapsed after the break-up of the Soviet Union, as alternative sources of supply were not available. Some recovery of the meat and dairy sector through the use of domestic resources and alternative production systems, such as silvopastoral systems, has since occurred; it is, however, slow and production does not meet the demand.

7. The deterioration of irrigation and drainage systems has also had a negative impact on both food crop and export crop production. Sugar cane is a main export commodity, accounting for 48 per cent of irrigated land. However, there has been a notable decline in the efficiency of irrigation systems generally, with the amount of land under irrigation falling by 18 per cent in the period 1991-1996. The deterioration in irrigation and drainage systems has been attributed to the limited access to research, expertise and improved technology, as well as a lack of resources to invest in the maintenance and development of such systems.

Fisheries sector

8. Almost all of Cuba's fish exports consist of high-value products, notably frozen shrimp and lobster, which are in strong demand on the international market. Export earnings amounted to $93 million in 1999, for a total volume of 8,300 tonnes. On the other hand, fish imports, consisting mainly of low-value fish products, amounted to $22.5 million, for a total volume of 25,000 tonnes. Cuba is not receiving all the possible benefits that it could obtain from the fish trade. Access to nearby markets is limited, especially those with high purchasing power, and Cuba is therefore obliged to export to more distant markets, with the resultant high marketing and distribution costs. This affects, in particular, exports of live lobsters, for which the United States would represent an important market for Cuba's exports.

9. Moreover, trade often leads to the transfer of know-how. Cuban fish handlers, processors, packers and those responsible for quality control are not benefiting from these transfers.

10. In the aquaculture sector, culture-based fisheries from reservoirs are the main type of aquaculture in Cuba, accounting for more than 45 per cent of total fish production and contributing significantly to food supply and food security. Lack of imported inputs to agriculture and husbandry activities (animal feeds and fertilizers) has affected the productivity of reservoirs through a negative impact on eutrophication and the consequent reduction in the amount of algae in the water and hence availability of fish supplies.

11. Shrimp aquaculture, an industry with good development potential, is also adversely affected by the higher costs and more difficult procurement of imported equipment and other inputs.

12. Difficulties have also been encountered in obtaining certain analytic reagents essential for effective monitoring and control of the disease ciguatera, which is harmful for both fish and humans and necessitates a difficult and costly treatment. This jeopardizes the supply of fish that is safe to consume, both domestically and internationally.

United Nations Children's Fund

[Original: English]
[2 June 2002]

1. The embargo imposed against Cuba has an impact upon all spheres of Cuban society. It affects particularly the efforts of the Government of Cuba to protect children, adolescents, women and families, as defined in the Convention of the Rights of the Child. As access to the United States market could represent the best economic option for Cuba, the ban on commercial exchange increases dramatically the costs of crucial consumption and production items.

2. The Government of Cuba has expressed its strong determination to care for its entire population, children and vulnerable groups in particular. Children come first in the Cuban policy agenda. In spite of being a developing country, Cuba has the best social indicators in the region. Its infant mortality rate is comparable to that of Canada. Most of the 2000 Millennium Summit goals have been achieved. Efficient delivery systems guarantee to every child free access to education and health care. Basic foodstuffs, though strictly controlled and rationed, are generally available at a reasonable price for the entire population, with special attention to vulnerable groups such as children under 7 and pregnant women.

3. However, the embargo has limited the population's access to essential medicines and basic health supplies. Freight costs add an additional approximately $9 million to expenditures on equipment and medicines, which must be purchased in distant countries. Dialysis equipment, among other things, and common medicines such as analgesics and antibiotics are severely affected.

4. The impact of the embargo has been aggravated still further by other circumstances. The events of 11 September affected tourism, one of the major income sources of the country. In November 2001, Hurricane Michelle affected the entire agricultural system of the central provinces. Drought, recurrent in the past three years, has had a negative economic and social impact on the population, especially in the eastern part of the country.

5. According to studies carried out by several Cuban institutions, the sectors most affected by the embargo are health/nutrition, water and sanitation and education, as illustrated in the following paragraphs.

6. Despite efforts by the national programme for their prevention and control, iron deficiency and anaemia are a problem (46 per cent prevalence of iron deficiency among children aged 6-12 months, according to a national study in 2000). Of the several micronutrients that are in short supply, iron deficiency is the most important. It is not possible to directly purchase potassium iodate for iodized salt; it must be done through intermediaries, with a resultant higher cost. The Government has requested the support of UNICEF for its acquisition.

7. Access to potable water and sanitation has deteriorated, especially in the eastern part of the country, largely due to shortage of chlorine and spare parts for water supply and treatment facilities.

8. Access to modern health-care-related technologies in areas such as cardiology, ophthalmology, neurology, microsurgery and urology, as well as to key drugs and reagents, is extremely limited in Cuba. The embargo also hampers the scientific and economic benefits that might otherwise be gained from the internationally recognized Cuban biotechnology pools.

United Nations Educational, Scientific and Cultural Organization

[Original: English]
[June 2002]

1. During the past year (June 2001-June 2002), the United States embargo against Cuba has been maintained under the same conditions as in the past; however, some legislation has been promoted in the United States Congress to permit a certain degree of alleviation. One new element is that Cuba agreed to purchase food from United States firms after Hurricane Michelle, in spite of the previous restrictions imposed by Congress which impeded these commercial operations and which Cuba had rejected. The recent period has been more difficult for the Cuban economy as the international price of sugar has remained very low and tourism as well as family remittances were affected by the terrorist attacks of 11 September, and owing also to the effects of Hurricane Michelle, which struck the country in November. Under these conditions the effects of the embargo have increased.

2. The contraction of foreign incomes and the high prices of imports have brought about a reduction in the available resources in the country. This has affected all social-related activities, including education, science, culture and communication, which are all fields of competence of UNESCO. However, due to the nature of the sectors in which UNESCO works, it is very difficult to make a rigorous quantitative determination of the damage caused by the embargo in these areas.

3. In the case of education, where Cuba has achieved very important development levels, there has been an exacerbation in the scarcity of material resources for the publication of textbooks, the lack of availability of educational materials, the deterioration of many educational centres, the decrease in the quality

of food and the drop in material incentives for teaching personnel. This situation was only partly compensated by the priority that the Government places on this sector, often at the cost of a reduction of the budget for other non-essential activities. During the past year, the programme for the refurbishment of educational centres has continued, together with the opening of new teacher training schools. For the coming academic year, the Government has planned a reduction in the number of students per classroom to not more than 20 as part of an important effort to increase the quality of education in the country. During the past year teachers' salaries were increased between 30 and 50 per cent.

4. The effects of the embargo are also seen in culture-related areas. Although under the first amendment to the United States Constitution, the embargo is supposed to exclude cultural goods, such as books, records or works of art, the ban has been maintained on the purchase of materials necessary for the culture industries and for artistic creation, including paint, brushes, musical instruments, cameras and even paper. The schools for training in the arts have been deeply affected by the lack of resources for the development of the arts, as well as by the deterioration and increasing age of the existing facilities. The preservation of the historic heritage has also been severely hampered due to the scarcity of necessary materials for conservation. However, the Government maintains this sector as a political priority, with appropriate provision for it in the budget.

5. The development of the communication sector has been harmed by the impossibility of gaining access in any sort of systematic manner to the latest technologies which is essential for staying abreast of the dynamic changes this sector is undergoing at the international level. The situation is particularly acute in the fields of informatics and telecommunication. Telephone communications between Cuba and the United States have been affected by a United States court decision embargoing the funds of the Cuban Telecommunication Enterprise, which has imposed a high human cost, as it hinders contacts between millions of Cubans living in the United States with their families in Cuba.

6. The embargo has also retarded the scientific development of the country. Cuban scientists can engage in only very limited exchanges with their counterparts in the United States and scarcely have any opportunity to attend higher-level courses at United States universities. They also have difficulties in obtaining bibliographies, equipment, lab materials, etc. In areas where Cuba has achieved important advances, such as biotechnology, there is a ban on concluding agreements with prominent United States firms in the field, which could otherwise significantly promote the production and trading of such products. Two Cuban scientists invited to participate in a biotechnology-related event were denied visas to enter the United States.

7. This overview of the sustained impact of the embargo on education, culture, the sciences and communication, all fields of competence of UNESCO, demonstrates the need to put into effect the call on the United States Government to put an end to this policy, which violates the rights of the Cuban people. UNESCO has continued to implement actions of cooperation with Cuba that have contributed to reducing the negative impact of the economic, commercial and financial embargo placed on Cuba for more than 40 years by the United States. The main actions implemented in the areas of competence of UNESCO, from June 2001 to June 2002, were the following:

- Financial contribution to the Ministry of Education through the establishment of a network for the exchange of information among the educational institutions in the country
- Financial and methodological assistance to the national action plan entitled "Education for All" in the framework of the Dakar follow-up
- Financial and organizational support for the implementation of the national meeting of UNESCO Associated Schools
- Financial support for the implementation of project entitled "Distance Education as a Tool for Development"
- Financial contribution to the National Institute for Sports, Physical Education and Recreation for the promotion of the agreements concluded at the Second International Ministerial Conference on Physical Education and Sport (MINEPS II)
- Regional project entitled "Overall Management of Cultural Heritage", with the participation and collaboration of such Cuban institutions as the Office of the Historian of Havana and the

National Centre for Conservation, Restoration and Museum Studies (CENCREM)

- Financial support to the establishment of a diploma in the pedagogy and psychology of art (Instituto Superior de Arte)
- Financial support to the publication of products of the Juan Marinello Centre: "Cuentos cantados en Cuba", "Danzas populares tradicionales cubanas"
- Organization of a workshop of handicraft experts
- Regional seminar on audio-visual media and cultural diversity in the context of the challenges of new technologies, organized in cooperation with the Latin American Film Festival, and publication of the outputs of the seminar and festival, Havana
- Financial support to the Winter Festival/Ciné Club Cubanacan, Santa Clara, Cuba
- Financial contribution for the organization of the national seminar on "Awareness-raising on gender in communication and sexism in language"
- Drafting of an inter-agency project for the development of Granma province
- Financial contribution to the restoration of the Third Cloister of the Santa Clara Convent (CENCREM)
- Arrangement to obtain extrabudgetary funds from Belgium for the enlargement of CENCREM
- Organization of the international workshop "Breaking the Silence" on the Slave Route, to be held in the network of UNESCO Associated Schools, with the participation of foreign intellectuals and Cuban experts
- Technical and financial support for the coordination meeting for the Microton MT-25 Lab (Havana, 29-31 August 2001)
- Technical and financial support for the Second Caribbean Workshop on Plant Biotechnology (BIOCAT), (Bayamo, Granma province, 17-19 October 2001)
- Financial contribution for the Environmental Education Programme in Moa territory, Holguin province
- Support for the celebration in Cuba of World Environment Day (In 2001, Cuba was one of the international venues for this celebration).
- Ongoing support for the UNESCO Chairs on Molecular Design and Biomaterial, Havana University
- Support for the updating of the laboratories of the Institute of Ecology and Systematics
- Technical and financial support for the course/workshop on integration of the environmental dimension in the educational process, Instituto Superior Pedagógico para la Educación Técnica y Profesional, Havana, 25-30 May 2002
- Implementation of the pilot project entitled "Environmental socio-economic evaluation of the southern coast of Havana province" for the purpose of proposing to local governments steps aimed at the solution of different environmental problems and at the conservation and sustainable use of the area's natural resources
- Financial and organizational support for the national programme to combat HIV/AIDS.

United Nations Conference on Trade and Development

[Original: English]
[26 June 2002]

Review of recent developments

1. A recent report by Barry Carter, Director of the International Business and Economic Law Program at the Georgetown University Law Center, Washington, D.C., entitled *Study of U.S. Unilateral Sanctions: 1997-2001*, has analysed the frequency and characteristics of all unilateral sanctions imposed by the United States on a range of countries during the period. It found that the frequency with which they are implemented has decreased. The study also revealed that unilateral sanctions are often more narrowly targeted now than they were prior to 1996. Earlier studies reported that in 1996 alone the United States had imposed 26 new sanctions. According to the Georgetown study, between 1997 and the end of 2001, 59 new United States unilateral sanctions were imposed, a significant decrease from the 1996 annual

rate. In 2000, the United States imposed no new sanctions. Between 1997 and 2001, 26 existing unilateral sanctions were removed from the books. Another significant development has been the shift from broad unilateral sanctions to so-called "smart" sanctions, which are much more precisely targeted to impact a specific policy or economic sphere of the country against which the sanction is imposed.

2. In contrast to the above, most of the economic, commercial, financial and social coercive measures imposed on Cuba during the past four decades by legislation in force in the United States are still being implemented. The most important legislation providing for these measures includes the Cuban Liberty and Solidarity Act of 1996 (commonly known as the Helms-Burton Act), the Cuban Democracy Act of 1992, as well as the Omnibus Appropriations Act of 1997 and the Foreign Operations, Export Financing Act of 1996 and the Related Programs Appropriations Acts 1998, the Foreign Assistance Act and the Export Administration and Export-Import Bank acts. The lifting of most of the sanctions in force cannot be effected through an administrative action or order by the executive powers, but would require amendments to, or the removal of, existing relevant legislation.

3. The issue of the effectiveness and impact of the sanctions has been the subject of growing controversy in the United States. The report of the Secretary-General to the General Assembly at the fifty-sixth session (see A/56/276/Add.1) discussed the question in detail and referred to the findings of a study prepared by the United States International Trade Commission: *The Economic Impact of U. S. Sanctions with respect to Cuba*.[5] The study found that the sanctions indeed affected the Cuban economy negatively in the 1990s in various ways. The Government of Cuba, for its part, has endeavoured to quantify the negative effect and arrived at a figure of $67 billion as representing the direct and indirect loss to the Cuban economy and society resulting from the sanctions from the time they were first imposed up until 1998, of which $30 billion was in lost export receipts. The question being debated in the United States is therefore not whether the sanctions have negatively affected the Cuban economy, a point that seems to be conceded by all parties, but rather whether they are the appropriate instruments to achieve United States foreign policy goals, or whether, by contrast, they are counterproductive. A related issue is whether the sanctions are also harming United States business interests, particularly in the agricultural sector, by closing off a potentially valuable export market. The International Trade Commission report found this to be the case and referred in particular to the rice and wheat sectors as being among those where United States business could benefit from the lifting of sanctions. United States industry sources and groups, notably those associated with export agriculture, have become increasingly vocal in demanding the lifting of the sanctions.

4. A development in the direction of easing the sanctions was the vote in the House of Representatives (240 to 186) in late July 2001 to lift some of the restrictions on travel to Cuba.[6] This step was considered to be the first move towards ending Cuba's economic isolation by the sponsors of the amendment to a larger bill that was approved and sent to the Senate. Another event was the arrival of the first shipment of American goods in Cuba in December 2001. They had been purchased by the Government of Cuba after the approval of new legislation in the United States in 2000, allowing shipments of foodstuffs and medicines (see A/56/276/Add.1). However, United States Government policy has ruled out any easing of the sanctions regime. The matter was practically absent from the political arena and media during the second half of 2001, especially following the 11 September terrorist attack.

5. The Senate Appropriations Treasury Subcommittee has examined the embargo measures against Cuba, focusing on travel restrictions against United States citizens travelling to Cuba. Such travel has increased considerably, as acknowledged in February 2002 by the Head of the United States Treasury Office of Foreign Assets Control, which enforces the travel restrictions. Up to 200,000 Americans visited Cuba in 2001, mostly under special exceptional permits granted to Cuban-Americans and others, but as many as 60,000 of them went in violation of the law. Most illegal United States visitors to Cuba are tourists who arrive from third countries. The ban, which technically is not a prohibition against travel but prohibits Americans from conducting any financial transactions, that is, spending money, in Cuba, was first imposed in 1963.

6. USA*Engage, a coalition of over 670 small and large businesses, agricultural groups and trade associations working to seek alternatives to United States sanctions and to promote the benefits of United

States engagement abroad, has remained active in seeking to end or reduce the sanctions. A strong appeal has been launched by the "Cuba Working Group", a caucus created in 2002 to exert pressure for changes in policies towards Cuba. The group's nine-point plan consists of a series of incremental steps, but falls short of calling for direct United States investment, establishment of diplomatic relations or foreign aid. The steps include an appeal for normal exports of United States food and medicine; an end to limits on remittances by Cuban-Americans to relatives in Cuba; and the termination of the Helms-Burton Act in 2003. The group also recommended "increased security cooperation" between the two Governments and an end to TV Martí, the United States-sponsored television network.[7]

Recent developments in the deliberations in the World Trade Organization concerning trade-related measures having characteristics of economic coercion, particularly as related to Cuba

7. In September 2001, the issue of United States economic sanctions was raised by Cuba on the occasion of the review of the United States policies by the World Trade Organization (WTO) Trade Policy Review Body. According to the report of the WTO secretariat for the Review Body, "Currently, embargoes or sanctions are in place on exports to a number of countries, including Cuba, a WTO member ... The Trade Sanctions Reform and Export Enhancement Act of 2002, resulting from the Agriculture Appropriations Bill for FY 2001, eliminates existing unilateral sanctions on agricultural exports to Cuba, Iran, Libya and Sudan, and on exports of machines and medical devices to Iran, Libya, and Sudan. It also establishes new restrictions against Cuba. In particular, it prevents United States exporters from using public and private credit for sales of foodstuffs to Cuba; it reinforces the prohibition on access by Cuban goods and services to the United States market; and it gives the status of law to the restrictions on United States citizens to travel to Cuba, which until now had been a prerogative of the Executive ... The 1996 Cuban Liberty and Democratic Solidarity (LIBERTAD) Act (Helms-Burton Act) provides the right to United States nationals to file suit against persons that are 'trafficking' in confiscated property in Cuba. In June 2001, the President announced his decision to suspend Title III for an additional six months, as has been done every six months since the law was voted. Title IV of the Act directs the United States State Department to deny visas to executives and controlling shareholders (as well as their spouses and minor children) of the companies determined to be 'trafficking' in such property."[8]

8. According to the minutes of the review, "the representative of Cuba recalled that in 1998 the United States had applied unilateral economic sanctions, maintained against several States, including Cuba, whose trade and economy had been seriously affected. Measures against Cuba had political objectives. Close to some 20 pieces of United States legislation imposed an economic and financial embargo, which had lasted for more than 40 years. Since July 1999, the United States Government had strengthened those measures. Due to the unilateral nature and the extraterritorial scope of the implementation of this legislation, they continued to have an effect on trade and were a matter of concern to [WTO] members ... in October 2000, the United States Congress and the Administration had approved legislation for the reform of trade sanctions and an increase of exports. This was contained in Title IX of the Agricultural Appropriations Act for 2001, which did not eliminate existing unilateral sanctions against the exports of agricultural goods and medicines, including medical equipment to Cuba. On the contrary, some of these prohibitions or restrictions had been strengthened, and the mechanism to obtain export licences had been only slightly modified. Submitting the sale of these products to agency or departmental consultation, authorization and political decision by the United States Government was inconsistent with international trade rules. The Act prohibited United States exporters from using public and private credits for the sale of agricultural products and foodstuffs to Cuba, codified the restrictions on travel by United States citizens to Cuba, maintained restrictions on the sale of medicines and medical products and maritime transport and reinforced restrictions of importation of goods and services from Cuba ... The Helms-Burton law and section 211 of the Omnibus Act of 1974 reinforced unilateral and extraterritorial measures that were inconsistent with the WTO rules ... The embargo against Cuba was inconsistent with international law and with the United States claim of world leadership in the implementation of actions and initiatives promoting trade liberalization leading to the opening of markets and the growth of international trade ... In his concluding remarks, the

Chairman of the Review lists this matter as one of the other matters raised in the review: trade restrictions for foreign policy reasons, in some cases involving extraterritoriality".[9]

United Nations Office for Drug Control and Crime Prevention

[Original: English]
[26 June 2002]

1. It is noteworthy that Cuba has consistently contributed to efforts aimed at strengthening regional and international drug control. At the national level, a strong political will, coupled with concrete measures, keeps the island at a distance from major drug-related concerns, in comparison with other Caribbean countries.

2. In November 2001, Cuba held a Regional Conference on Caribbean Drug Enforcement and Control in the Caribbean to discuss approaches and strategies for devising and implementing measures for drug prevention and control, including money-laundering.

3. In 2000, the United Nations International Drug Control Programme had launched a project with the Government of Cuba aimed at strengthening the planning and delivery capacities of the national inter-ministerial drug control commission, with emphasis also on a drug abuse prevention programme, making full use of Cuba's extensive health and education system.

United Nations Population Fund — Latin America and Caribbean Division

[Original: English]
[25 June 2002]

1. Cuba continues to face critical economic difficulties, which have prevailed throughout the 1990s, as a consequence of the disruption of trade relations with its former trading partners of Eastern Europe. The decades-long United States economic embargo has exacerbated the situation and contributed to a further deterioration of the quality of life of the Cuban population. In 2001, the standard of living indicators stood below 1990 levels. The scarcity of financial assistance and severe restrictions on imports due to financial constraints have taken their toll on the delivery of basic social services, with repercussions on the health sector, as evidenced by the shortage of medicines, medical equipment and spare parts and the deterioration of primary health-care facilities.

2. The import restrictions imposed by the United States embargo have had a direct impact on the population's reproductive health status: although the Cuban population has ample knowledge of the most common contraceptive methods and these methods are in high demand, there are severe limitations to their availability and quality, as well as to medicines for the treatment of sexually transmitted diseases, equipment for emergency obstetric care and other commodities related to sexual and reproductive health. The oral contraceptive plant built with the support of the United Nations Population Fund (UNFPA) has an annual production capacity of 500 million pills, but the shortage of raw materials does not allow the plant to attain its designated capacity. The production of sanitary napkins, another basic reproductive health commodity, is also hampered by restrictions on imports of raw materials.

3. In spite of the scarcity of funds, Cuba has managed to contain an HIV/AIDS epidemic and incidence is low in comparison with other Caribbean countries. However, the number of HIV-positive cases has increased in recent years, mainly among males aged 25 to 34. The growth of the tourism sector, while contributing to a slight economic recovery, represents a significant risk factor, and the shortage of condoms for AIDS prevention is a major concern. The availability of condoms was close to 25 million in 2001, compared with the estimated 60 million required to cover yearly requirements.

4. As regards the sexual and reproductive health of adolescents and youth, an important demand for printed information and educational materials related to AIDS and unwanted pregnancy prevention remains unmet. Moreover, the high rate of abortions, particularly among women under age 20, requires information, counselling, the training of providers and appropriate contraceptive methods. Under its current programme of assistance, UNFPA supports government efforts to train teachers and social workers, provide sexual education to adolescents and children attending the nation's school system and in the production of reproductive health education materials for schools in selected

provinces. This contribution, however, only partially covers the country's needs.

5. The economic embargo has also affected the delivery of services to Cuba's growing elderly population. Due in part to the financial restrictions and consequent shortages of all types of materials, the Government is unable to fully meet the needs of this population group, particularly in terms of housing, maintenance, medical supplies and equipment for nursing homes and day-care centres. More support will be needed in the future as the elderly population continues to increase within the country's demographic transition process.

6. The current UNFPA programme of assistance to Cuba aims to maintain the country's current reproductive health standards and to improve the quantity, quality and variety of available contraceptives, mainly through the procurement of condoms, IUDs and injectables, as well as to establish and strengthen sexual education in the formal school system. Although UNFPA has channelled several bilateral grants to cover contraceptive shortfalls in 2001, development assistance is still insufficient to compensate for the severe limitations related to the economic embargo.

United Nations Industrial Development Organization

[Original: English]
[24 June 2002]

1. Since the adoption by the General Assembly of resolution 47/19 of 24 November 1992, in which the necessity of ending the economic, commercial and financial blockade imposed by the United States of America against Cuba was expressed for the first time, the administrations of that country have continually ignored the will of the international community and further strengthened the tools of its policy.

2. More than 10 years after the adoption of the first resolution condemning the United States blockade against Cuba, the General Assembly will be considering the issue yet again at its fifty-seventh session.

3. Despite pressure from various political, civil society and business groups to lighten or even lift the economic sanctions imposed by the American legislation, many of the economic, commercial, financial and social-related coercive measures that were imposed on Cuba some four decades ago are still being implemented.

4. The 1990s were the most difficult economic period for Cuba since the triumph of the revolution in 1959. For the second time during the half end of the twentieth century, Cuba was compelled to face an overnight change in the orientation of its foreign trade and the technological basis of its economy. At the beginning of the 1960s, the decade in which the economic blockade was first imposed, the economic relations of the country had been concentrated in the United States (representing 90 per cent of all trade), while in 1989, with the collapse of socialism in Eastern Europe, 85 per cent of Cuban foreign trade was with the countries of the former Council for Mutual Economic Assistance.

5. Significant changes have been introduced in Cuba's economic policy to deal with the new international environment that emerged in the previous decade which was marked by a sharp reduction in the country's trade and cooperation links with nations worldwide. Among the most important steps taken by the Cuban authorities during the period were the active promotion of foreign direct investment and other types of financing; export promotion, including the service sector, particularly tourism; the decentralization of foreign trade; the establishment of a legal and monetary framework to allow for the circulation of hard currencies; and the establishment of a system for tax administration.

6. One of the main impacts of the policy of blockade has been Cuba's inability to access the main world industrial market, which includes industries from third-country-based subsidiaries.

7. In spite of the continuous attempts by the United States Government to downplay the effects of its policy towards Cuba, the damage caused by the economic, commercial and financial blockade is palpable, for both the country's growth and economic development and the well-being of its population. It also clouds the prevailing climate of international trade and has very negative implications for third States and companies under their jurisdiction.

8. Overall, industry in Cuba shows a clear technological lag in comparison with international standards. The main problems facing industry are high

energy consumption, low automation levels, obsolete and inefficient technologies, low capacity utilization and lack of inter-industrial cooperation.

9. UNIDO promotes industrial development in the country through its integrated programme approach. The Integrated Programme to Support the National Strategy on Industrial Competitiveness in Cuba has been under way since 1999. The Government requested UNIDO to orient the programme towards those industrial sectors of the national industry which could contribute directly to the development of tourism which in turn could provide for additional sources of foreign exchange for the acquisition of inputs for domestic production. In this context, UNIDO has been providing assistance to priority industrial sectors such as those covered by the ministries of Food, Environment and Basic Industries, among others. In the course of 2001-2002, UNIDO has devoted particular attention to the establishment of an industrial information system and undertaken initial steps towards the development of a bamboo-based furniture industry. Both activities were financially supported by UNDP Cuba, in the framework of the Working Arrangement for the Implementation of the Integrated Programme signed by both agencies in November 1999. In addition, a cleaner production network for the industry sector was established at the national level, showing good initial results.

10. We believe that the catalytic impact of the programme is important for the socio-economic development of Cuba.

Universal Postal Union

[Original: French]
[7 June 2002]

As a specialized agency of the United Nations, the Universal Postal Union (UPU) is not directly involved in the implementation of General Assembly resolution 56/9, which is directed at States. Moreover, UPU has always considered Cuba a full member of the organization, with the same rights and obligations as other UPU members. In 2001, Cuba benefited from various technical assistance activities financed by UPU.

World Health Organization/Pan American Health Organization

[Original: English]
[June 2002]

1. At the outset, it should be noted that the embargo has had a very significant negative impact on the overall performance of the national economy, diverting the optimal allocation of resources from the prioritized areas and affecting the health programmes and services. This, in the end, compromises the quality of life of the population, specifically the children, the elderly and the infirm.

2. As a result of the embargo, some productive sectors such as tourism, fishing and nickel exploration and exploitation are experiencing great difficulties in securing supplies and disposing of exports; the reduction in the profitability of these sectors, in turn, reduces their projected contribution to financing the National Health System. The combined effect is to limit the capacity of the system and negatively affect the general well-being of the population.

3. Although it is not a direct effect of the embargo, a collateral result is that Cuba cannot gain access to the resources of the international financial system which would be beneficial for its general development.

4. Cuba has had to evince considerable ingenuity to maintain the high quality of its health service delivery, which is reflected in the good health indicators of the country, since the capacity and the quality of its health services, from the primary to the tertiary level, have been significantly affected by the embargo. Severe limitations had to be overcome in the development of specialized human resources because of the limited access to scientific and technical information, up-to-date bibliographies and paucity of opportunity for exchange of experiences with top-level institutions in the United States. This is particularly critical in a system which is heavily dependent on qualified human resources (there are 340,000 health-related workers in the country, including 67,000 physicians). The embargo affects the quality of the health services as it makes it difficult to gain access to some medicines and critical supplies produced in the United States or by subsidiaries of American companies which are not allowed to trade with Cuba. Illustrative examples of this situation are described below.

5. The project entitled "Strengthening the exchange in the specialties of oral health and dermatology by Calixto Garcia Hospital and the American NGO REI" was not authorized for signature. As a result, the project was cancelled, thereby foreclosing the possibility of acquiring the resources for the near-term development of the specialties and services offered by the participant.

6. In November 2001, on the basis of the agreements concluded consequent upon the impact of Hurricane Michelle, the Cuban firm Medicuba contacted 17 American entities requesting price quotations for the urgent procurement of severely needed drugs and medicines to replenish the national stocks that had been exhausted in serving the affected population. Of the 17 companies, eight did not respond; only four showed some interest, but did not make a concrete offer, and one refused because it could not obtain the waiver from the United States Government (Pharmacia-Upjohn).

7. In the past year various hospitals have been affected in one way or another, in particular in the area of medical emergency services and treatment of the terminally ill. In many cases, the crux of problem lies in the lack of appropriate equipment and state-of-the-art technology. Especially hard hit, for example, are the Saturnino Lora hospital in Santiago de Cuba and the Paediatric Hospital of Las Tunas.

8. The implementation of the Integrated System for Medical Emergencies (SIUM) has been a significant innovation and source of support for primary health care, as well as for the entire national health system. Nevertheless, the provision of adequate and effective medical attention through SIUM has been significantly hampered by problems in keeping medical transport and ambulances in good repair due to difficulties in acquiring spare parts for American-made equipment obtained through donations.

9. The ongoing programmes in 14 maternity hospitals for the early detection of cervical and breast cancer have been severely limited by delays in acquiring laboratory equipment, chemical reagents and spare parts. The negative effects of the embargo are also strongly felt in such areas as diagnostics, clinical laboratory research and microbiology. Since almost 70 per cent of the companies producing equipment and reagents for diagnosis are United States-based, they must be purchased in the European market, thereby increasing the prices significantly. Some companies, such as Beckman Coulter, Dade Behring, Abbott and Bayer, do not permit their technology to be sold to Cuba. Furthermore, the national programme for the treatment of chronic renal disability has no access to necessary technology, such as continuous ambulatory peritoneal dialysis, immune suppressants, such as FK506 and mycophenolate mofetil; synthetic membranes for dialysis, such as polysulphone and polyacrilonitrole; and immunologics for DNA studies.

10. More generally, important determinants related to environmental sanitation, solid waste disposal and the distribution and quality of water are directly affected by the embargo. All these factors have an impact on the state of the environmental health as well as on the health of the population.

11. The embargo has a highly negative effect on the procurement of crucial supplies used in surgery, gynaecology, neonatology, intermediate and intensive therapy, as well as other supplies necessary for the functioning of basic hospital infrastructure, such as air conditioning, laundry, emergency electric generators and medical transportation.

12. Even the access to safe drinking water has been affected by the lack of spare parts and components for equipment manufactured in the United States of America. Similar problems are being experienced in the maintenance of water-purification equipment, some of which was built by Wallace and Tiernan or its subsidiaries.

13. Scientific and technological development has also been affected by the embargo, through limitations or total prohibitions on interchange among Cuban and United States researchers and industry/providers. This situation has an adverse effect as well on American universities and pharmaceutical companies, as well as on the American people, who are unable to benefit from the advances made by Cuban medical scientists, such as the meningococcal vaccine and some therapies against cancer.

14. The PAHO/WHO representation in Cuba conducts a biennial programme of technical cooperation for strengthening the National Health System. Through the development project at the municipal/local government level, the PAHO/WHO representative has had the opportunity of working in all the provinces and in 80 of the 169 municipalities throughout the country.

World Food Programme

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1. WFP has supported the efforts of Cuba for over 39 years both in food aid for development activities and the provision of relief assistance for victims of natural disasters. To that end, five development projects and 11 emergency operations have been implemented to date, totalling $209 million and benefiting more than 3.5 million people.

2. At the beginning of 2001, the WFP Executive Board approved project 10032.0, entitled "Nutritional Support to Vulnerable Groups in the Five Eastern Provinces", for a total sum of $22,680,602. In September, a pilot phase of the project began operations in each of the provinces, distributing food to 495,880 persons daily.

3. Through development project Cuba 5686, "Agricultural Production for Food Security in Granma Province", by the end of 2001 a total of 28,423 Cuban farmers had benefited from agricultural and husbandry credit programmes that have increased food security in the province; 11,025 of the farmers were women.

4. On 9 November 2001, WFP project IRA/EMOP 10143, "Immediate Response Emergency Operation Cuba-Hurricane Michelle", was approved as an immediate response action to that emergency. The operation provided $199,779 to assist 24,770 persons, including 4,800 people living in temporary shelters and 19,970 expectant mothers living in the most affected provinces. Beneficiaries received food assistance over a period of three months.

Notes

[1] FAC No. C-192071.

[2] See ECLAC, *Cuba: evolución económica durante 2001*, LC/MEX/L525, 6 June 2002.

[3] Ibid.

[4] The Government of Cuba has estimated the economic effects of the United States embargo at $121,000 million. See *Cuba's 29 June 2001 report to the Secretary-General of the United Nations pursuant to General Assembly resolution 55/20*, A/56/276, p. 20, www.cuba.minrex.cu.

[5] Inv. No. 332-443, United States International Trade Commission Publication No. 3398, February 2001.

[6] *International Herald Tribune*, 27 July 2001.

[7] Ibid., 17 May 2002.

[8] WT/TPR/S/88, chap. III, paras. 134, 136 and 137.

[9] WT/TPR/M/88, paras. 179, 180, 181, 182 and 256.